

If the defendant does not obtain leave to defend, the plaintiff, on proof of service of the summons, shall be entitled as of course at any time after the expiration of those seven days to an immediate absolute order for any sum not exceeding that indorsed on the summons, with interest at the rate specified (if any) to the date of the order, and a sum for costs to be fixed by the Court in the order.

114. The holder of a bill or note may, if he thinks fit, obtain one summons against all or any of the parties to the bill or note, and subsequent proceedings shall be carried on, as far as the Court thinks fit, as if separate summonses had been issued.

But the summons or its indorsement shall set forth the claims against the several parties, according to their respective alleged liabilities, with sufficient precision and certainty to enable each to set up any defence on which he individually may desire to reply.

115. The Court may, if it thinks fit, order that the bill or note be forthwith deposited in the Court, and that all proceedings be stayed until the plaintiff gives security for costs.

116. The holder of a dishonoured bill or note shall have the like remedies for the recovery of the expenses incurred in the noting of the same for non-acceptance or non-payment, or incurred otherwise by reason of the dishonour, as for recovery of the amount of the bill or note.

117. After order made, the Court may, if it thinks fit, for reasons recorded in the minutes, set aside the order or execution, and give leave to defend.

x.—CLAIMS UNDER £20.

118. Where the claim which any person desires to enforce by proceedings in the Court, either—

- (1) relates to money, goods, or other property, or any civil right or other matter at issue of a less amount or value than 20*l.*; or
- (2) is instituted for the recovery of damages of a less amount than 20*l.*;

proceedings shall be commenced by summons, and the suit shall (subject to the provisions of this Order) be heard and determined in a summary way.

119. The summons shall issue without application in writing.

It shall be addressed to the person, as respondent, against whom the claim is made.

It shall state briefly and clearly the nature and particulars of the claim and the amount sought to be recovered.

It shall be served on the respondent within the time and in the manner directed by the Court.

A respondent shall not be bound to attend personally to answer the summons unless required expressly by the summons so to do, but he shall attend personally if summoned as a witness.

The proceedings on the summons shall (except as far as the Court, in any case for the avoiding of delay and the furtherance of substantial justice, thinks fit otherwise to direct) be governed by the provisions of this Order regulating claims for 20*l.* or upwards.

120. Where, either on the application for a summons, or before or at the hearing thereof, it appears to the Court (for reasons recorded in the minutes) that the nature and circumstances of the case make it unjust or inexpedient to hear and determine the claim in a summary way, the Court

may direct that proceedings be taken and carried on by petition.

xi.—CLAIMS BEFORE UNCOMMISSIONED CONSULAR OFFICERS.

121. Every suit instituted in a Provincial Court held before an uncommissioned Consular officer shall be heard and determined under and according to the provisions of this Order relating to claims under 20*l.*

Within fourteen days after the determination of each suit, the Provincial Court shall report it to the Supreme Court, or in Egypt to the Court for Egypt, and transmit to that Court a copy of the proceedings.

The Provincial Court shall have power to enforce any order by execution on the goods of the party ordered to pay, and not otherwise.

An appeal to the Supreme Court, or in Egypt to the Court for Egypt, from any order of the Provincial Court shall lie as of course on the appellant making a deposit of 1*l.* for costs, to abide the decision on appeal, and execution shall be suspended.

The proceedings on, and hearing of the appeal shall be conducted, as nearly as may be, according to the provisions of this order relating to appeals to the Supreme Court by motion.

In any case the Supreme Court or the Court for Egypt may, if it thinks fit, on the application of any party, direct that the suit be heard and determined by the Court for Egypt, or by the Superintending Consul of the district of the uncommissioned Consul officer, or by the Supreme Court.

xii.—CLAIMS FOR £20 OR UPWARDS.

A.—ORDINARY PROVISIONS.

Petition.

122. Subject to the foregoing provisions of this Order, where the claim which any person desires to enforce by proceedings in the Court—

- (i) relates to money, goods, or other property, or any civil right or other matter, at issue, of the amount or value of 20*l.* or upwards; or
- (ii) is instituted for recovery of damages of the amount of 20*l.* or upwards;

proceedings shall be commenced by the filing of a petition.

123. The petition shall contain a narrative of the material facts on which the plaintiff relies.

The narrative shall be divided into paragraphs numbered consecutively, each paragraph containing, as nearly as may be, a separate statement or allegation.

The petition shall pray for the specific relief to which the plaintiff conceives himself entitled, and also for general relief.

The petition shall be as brief as is consistent with a clear statement of the facts on which the prayer is sought to be supported, and with information to the defendant of the nature of the claim set up.

Documents shall not be unnecessarily set out in full in the petition, but so much only of them as is pertinent and material shall be set out.

Dates and sums shall be expressed in the petition in figures, and not in words.

124. Where there is only one defendant, one copy of the petition, and of any schedule thereto, for service, shall be left with the Court, together with the original.

Where there are two or more defendants, as many copies as there are parties to be served shall be left, together with the original.

125. The plaintiff shall obtain an order for service of the petition on the defendant.

Answer.

126. The order for service of the petition shall specify a reasonable time after service, ordinarily not more than eight days, within which the defendant shall put in his answer.

127. The Court may, if it thinks fit, on the application of the defendant, allow him further time for putting in his answer.

128. A defendant failing to answer within the time, or further time allowed, shall not be at liberty to put in an answer without leave of the Court.

129. The answer shall show the nature of the defendant's defence to the claim set up by the petition but shall not set forth evidence by which the defence is intended to be supported.

It shall not introduce matter irrelevant to the suit, and the provisions of this Order relating to the setting out of documents and the contents of a petition generally shall be observed in an answer, as far as they are applicable.

It shall deny all such material allegations in the petition as the defendant intends to deny at the hearing.

Where the answer denies an allegation of fact, it shall deny it directly and fully (as, for example, if a petition alleges that the defendant has received a sum of money, and the defendant denies this, his answer shall deny that he has received that sum, or any part thereof, or else set forth what part he has received). And so, where a matter of fact is alleged in the petition, with certain circumstances, the answer shall not deny it literally as it is alleged, but shall answer the point of substance positively and certainly).

The answer shall specifically admit such material allegations in the petition as the defendant knows to be true or desires to be taken as admitted.

The answer shall allege any fact not stated in the petition whereon the defendant intends to rely in his defence (as establishing, for instance, fraud on the part of the plaintiff, or showing that the plaintiff's right to relief has not yet accrued, or is released, or barred, or otherwise gone.)

130. The Court may, if it thinks fit, order the defendant to put in an answer on oath.

131. The Court may, if it thinks fit, on the application of the plaintiff, examine the defendant, on oath or otherwise, or written interrogatories allowed by the Court, and take down the answers of the defendant in writing.

Those answers shall be treated as forming part of the answer to the petition.

132. A defendant not putting in any answer shall not, on that ground, be taken as admitting the allegations of the petition or the plaintiff's right to the relief sought.

Proceedings after answer.

133. No replication or other pleading after answer shall be allowed.

134. The plaintiff may, on considering the answer, amend his petition.

Notice of the amendment shall be served on the defendant.

Setting down for Hearing.

135. A suit shall not be set down for hearing without an order of the Court for that purpose, which the plaintiff may obtain at any time after the expiration of the time allowed to the defendant for answering.

Sittings for Hearing.

136. The sittings of the Court for the hearing of suits shall, where the amount of business so requires, be held on stated days.

They shall ordinarily be public, but the Court may, for reasons recorded in the minutes, hear any particular suit or matter in the presence only of the parties and their legal advisers and the officers of the Court.

Hearing with Jury or Assessors.

137. The following regulations respecting juries apply only to the Supreme Court and the Court for Egypt.

Where a suit either—

(i) relates to money, goods, or other property, or any civil right or other matter, at issue, of the amount or value of 50*l.* or upwards; or

(ii) is instituted for recovery of damages of the amount of 50*l.* or upwards;

the suit shall, on the demand of either party in writing, filed in the Court seven days before the day appointed for the hearing, be heard with a jury.

Any other suit may, on the suggestion of any party, at any stage, be heard with a jury, if the Court thinks fit.

Any suit may be heard with a jury if the Court of its own motion, at any stage, thinks fit.

A party demanding a jury shall, on filing the demand, deposit in Court, for the first day's attendance of jurors, 2*l.* 10*s.*, and in default thereof his demand shall have no effect.

If the Court of its own motion orders that a suit be heard with a jury, the plaintiff shall make the deposit.

Where a trial with a jury is begun and adjourned, the party who has made the deposit shall, on each successive day of the trial, and before the trial is proceeded with, make a further deposit of 2*l.* 10*s.*

In default of any successive deposit being so made the other party may make the deposit; but if neither party makes it, the trial may, if the Court thinks fit, be adjourned generally.

The costs of remuneration of jurors shall be costs in the cause.

138. The Supreme Court, or the Court of Egypt, may, if the Court thinks fit, hear with an assessor, or with two assessors, any suit.

139. A provincial Court, other than one held before an un-commissioned Consular officer, shall (subject to the provisions of this order) hear with an assessor, or with assessors, every suit which either—

(i) relates to money, goods, or other property, or any civil right, or other matter, at issue, of the amount or value of 300*l.* or upwards; or

(ii) is instituted for recovery of damages of the amount of 300*l.* or upwards,

In all other cases a Provincial Court, other than one held before an un-commissioned Consular officer, may, as it thinks fit, hear the suit either with or without an assessor or assessors.

Proceeding at Hearing.

140. The order of proceeding at the hearing shall be as follows:

The party on whom the burden of proof is thrown by the nature of the material questions

between the parties has the right to begin; he shall address the Court and open his case.

He shall then call his evidence and examine his witnesses in chief.

When he has concluded his evidence, he shall ask the other party if he intends to call evidence (in which term is concluded evidence taken by affidavit or deposition, or under commission, and documentary evidence not already read or taken as read); and, if answered in the negative, the party beginning shall be entitled to sum up the evidence already given, and comment thereon; but if answered in the affirmative, he shall wait for his general reply.

When the party beginning has concluded his case, the second party shall be at liberty to address the Court and to call evidence, and to sum up and comment thereon.

If no evidence is called or read by the second party, the party beginning (saving the right of the Crown) shall have no right to reply, unless he has been prevented from summing up his case by the statement of the second party of his intention to call evidence.

The case on both sides shall then be considered closed.

If the second party calls or reads evidence, the party beginning shall be at liberty to reply generally on the whole case, or he may call fresh evidence in reply to the evidence given on the other side, on points material to the determination of the issues, or any of them, but not on collateral matters.

Where evidence in reply is tendered and allowed to be given, the second party shall be at liberty to address the Court, and the party beginning shall be entitled to the general reply.

141. The answer of defendant shall not debar him at the hearing from disproving any allegation of the petition not admitted by his answer, or from giving evidence in support of a defence not expressly set up by the answer, except where, in the opinion of the Court, the defence is such as ought to have been expressly set up by the answer, or is inconsistent therewith.

Judgment.

142. The decision or judgment given at the hearing shall be delivered in open Court.

Where the Court reserves judgment at the hearing, parties to the suit shall be served with notice to attend and hear judgment, unless the Court at the hearing states the day on which judgment will be delivered, in which case there shall be no further notice.

All parties shall be deemed to have notice of the decision or judgment, if pronounced at the hearing.

All parties served with notice to attend and hear judgment, shall be deemed to have notice of the judgment when pronounced.

Costs.

143. In every suit the costs of the whole suit, and of each particular proceeding therein, and the costs of every proceeding in the Court, are in the discretion of the Court as regards the person by whom they are to be paid.

But the Court shall not order the successful party in a suit to pay to the unsuccessful party the costs of the whole suit; although the Court may order the successful party, notwithstanding his success in the suit, to pay the costs of any particular proceeding therein.

The Court may order any cost to be paid out of any fund or property to which a suit or proceeding relates.

Where the Court orders costs to be paid by any party, the Court may, if it thinks fit, order all proceedings by or on behalf of that party in the same suit or proceeding, or connected therewith, to be stayed until the costs are paid accordingly.

B.—EXCEPTIONAL PROVISIONS.

Injunctions and Orders before Suit.

144. On proof of extreme urgency or other peculiar circumstances, the Court may, if it thinks fit, without petition filed, and without notice, make an order of injunction, or an order to sequester money or goods, or to stop a passport, or the clearances of a ship, or to hold to bail.

Before making the order, the Court shall require the person applying for it to enter into a recognizance, with or without a surety or sureties, as the Court thinks fit, as security for his being answerable in damages to the person against whom the order is sought.

The order shall not remain in force more than twenty-four hours, and shall, at the end of that time, wholly cease to be in force, unless within that time a suit is regularly instituted by petition by the person obtaining the order.

The order shall be dealt with in the suit as the Court thinks just.

An order to hold to bail shall state the amount (including costs) for which bail is required.

It shall be executed forthwith.

The person arrested under it shall be entitled to be discharged from custody under it on bringing into Court the amount stated in the order, to abide the event of such suit as may be instituted, or on entering into a recognizance, with or without a surety or sureties, as the Court thinks fit, as a security that he will abide by the orders of the Court in any suit instituted.

He shall be liable to be detained in custody under the order for not more than seven days, if not sooner discharged; but the Court may, from time to time, if it thinks fit, renew the order.

No person, however, shall be kept in custody under any such order and renewed order for a longer time, in the whole, than thirty days.

Plaintiff out of Jurisdiction.

145. Where a person filing a petition, either alone or jointly with any other person, is out of the particular jurisdiction, or is only temporarily therein, he shall file in the Court, at or before the filing of the petition, a written statement of a fit place within the particular jurisdiction where notices and other papers issuing from the Court may be served on him.

He shall also give security for costs by deposit of the sum of 50*l.*, or by bond in the penal sum of 100*l.*

The Court may at any time, either of its own motion or on the application of any defendant, order the plaintiff to give further or better security to the amount aforesaid for costs, and may direct proceedings to be stayed in the meanwhile.

Parties.

146. Persons entitled to sue and suing on behalf of others as guardians, executors, or administrators, or on behalf of themselves and others (as creditors in a suit for administration), shall state the character in which they sue.

147. Where a person has jointly with other persons a ground for instituting a suit, all those other persons shall, unless the Court otherwise allows, be made parties to the suit, either as plaintiffs or as defendants.

But where a person has a joint and several demand against more persons than one, either as principals or as sureties, it is not necessary for him to bring before the Court as parties to a suit concerning that demand all the persons liable thereto, and he may proceed against any one or more of the persons severally liable.

If a person not joined as plaintiff or as defendant ought to be so joined, or a person joined as plaintiff or as defendant ought not to be so joined, the Court may order the petition to be amended. But no person shall be so joined as plaintiff without proof to the Court of his consent thereto. Nor shall the name of a plaintiff be so struck out unless he was originally joined as plaintiff without his consent, or he consents to his name being struck out.

148. Where a person sues another as agent for a third person, not seeking to fix the agent with personal liability, the Court, on the fact coming to its knowledge, shall, if the third person is within the particular jurisdiction, forthwith order his name to be substituted, and stay proceedings until the order is complied with.

But if he is not within the particular jurisdiction, the Court shall refuse to proceed further in the matter, unless and until the person sued as agent undertakes, by writing filed in the Court, to defend the suit, and personally to satisfy any order for debt or damages and costs therein. In that case the person sued as agent shall further, within such time as the Court orders, and before the hearing of the suit, procure and file with the proceedings a sufficient authority in writing to him from his principal to substitute the name of the principal as defendant for that of the agent, and to defend the suit, or otherwise act in it on behalf of the principal.

The agent shall not, however, be deemed to be thereby discharged from his personal undertaking and liability to satisfy any order in the suit.

149. Proceedings by or on behalf of or against a partnership solely or jointly shall be taken in the several names of the partners as individuals, and not in the name of the firm or otherwise.

Particulars of Demand.

150. Where the plaintiff's claim is for money payable in respect of a contract expressed or implied, or to recover the possession or the value of goods wrongfully taken and detained, or wrongfully detained, by the defendant from the plaintiff, it shall be sufficient for the plaintiff to state his claim in the petition in a general form, and to annex to the petition a schedule, stating the particulars of his demand, in any form which shall give the defendant reasonably sufficient information of the details of the claim.

An application for further or better particulars may be made by the defendant before answer.

The plaintiff shall not, at the hearing, obtain an order for any sum exceeding that stated in the particulars, except for subsequent interest and costs of suit, notwithstanding that the sum claimed in the petition for debt or damages exceeds the sum stated in the particulars.

Particulars of demand shall not be amended, except by leave of the Court, and the Court may, if it thinks fit, on an application for leave to amend,

grant the same, on it appearing that the defendant will not be prejudiced by amendment.

Where the Court orders particulars to be amended, or further or better particulars to be given, the order shall state the time within which the thing ordered is to be done.

The order for service of the amended or further or better particulars shall state the time which defendant is to have to put in his answer.

Any variance between the items contained in the particulars and the items proved at the hearing may be amended at the hearing, if the Court thinks fit.

Papers annexed to Petition.

151. When the Plaintiff seeks (with or without an order for payment of money)—

- (i) to obtain a general or special declaration of his rights under a contract or instrument; or
- (ii) to set aside a contract; or
- (iii) to have a bond, bill, note, or instrument in writing delivered up to be cancelled; or
- (iv) to restrain a defendant by injunction; or
- (v) to have an account taken between himself and any other or others;

he may in his petition refer to and briefly describe any documents on the contents whereof he intends to rely, and may annex copies thereof to the petition.

Amendment of Petition.

152. A plaintiff, not giving sufficient information to enable the defendant to understand the plaintiff's claim, may be ordered, on the application of the defendant, to amend his petition.

153. A petition may be amended at any time before answer by leave of the Court, on an application of the plaintiff without notice.

Notice of amendment shall be given to the defendant.

154. If a petition contains libelous or needlessly offensive expression, the Court may, if it thinks fit, either of its own motion, or on application of the defendant, order it to be amended.

155. Where a petition is defective on the face of it by reason of non-compliance with the provisions of this Order, the Court may, if it thinks fit, either of its own motion, or on application by a defendant, make an order to stay proceedings until the petition is amended.

Inspection of Documents.

156. A plaintiff may be ordered to produce for inspection and other purposes of the suit such documents in his possession or power as are referred to in the petition, or such other documents, if any, as the defendant is entitled to inspect in the suit.

Equity.

157. A petition implies an offer to do equity in the suit, and admits of any equitable defence.

The plaintiff may obtain at the hearing any such equitable relief as the facts stated and proved entitle him to, though not specifically asked.

Where a defendant in his answer raises a defence of an equitable nature, and it appears to the Court that, on this defence being established, the defendant may be entitled to some equitable relief against the plaintiff in respect of the subject-matter of the suit, the Court may, if it thinks fit, on the application of the defendant, either before or at the hearing, give liberty to him to file a cross-petition asking for that relief, and may make

such order for the hearing of the suit and cross-suit together or otherwise, as the Court thinks just.

Defence on Ground of Law or Equity.

158. Where a defendant conceives that he has a good defence in law or equity to the petition, so that even if the allegations of fact in the petition were admitted or clearly established, yet the plaintiff would not be entitled to any order against him (the defendant); he may raise this defence by an application that the petition be dismissed without an answer being required from him.

The application shall be made within the time allowed for answering.

The summons or motion-paper on which the application is made, shall state briefly the grounds of law or equity on which the defendant relies.

The application shall be heard and disposed of at as early a time as may be.

For the purposes of the application the defendant shall be taken as admitting the truth of the allegations of facts in the petition; and no evidence respecting matters of fact, and no discussion of questions of fact, shall be allowed.

The Court, on hearing the application, shall either dismiss the petition or order the defendant to put in an answer within a short time to be named in the order, and may, if the Court thinks fit, give leave to the plaintiff to amend his petition.

Where, on the hearing of the application, any grounds of law or equity are urged in support of it other than those stated in the summons or motion-paper, and the grounds stated therein are disallowed, the defendant shall be liable to pay the same costs as if the application were wholly refused, although the grounds newly urged are allowed, unless the Court thinks fit in any case to order otherwise.

Interrogatories for Examination of Plaintiff.

151. A defendant may at any time (but where he is required to answer not until after he has put in a sufficient answer) file in the Court interrogatories for the examination of a plaintiff.

There shall be prefixed to those interrogatories a concise statement of the subjects on which a discovery is sought.

A plaintiff shall answer the interrogatories subject to just exceptions.

The plaintiff's answer to the interrogatories may be read and used by the defendant in the same manner and under the same restrictions in and under which an answer to a bill praying relief may be read and used.

Set-off.

160. A defence of set-off to a claim for money shall be accompanied by a statement of particulars of set-off.

A defence of partial set-off shall also be accompanied by payment into Court of the amount to which, on the defendant's showing, the plaintiff is entitled, unless the plaintiff's claim to that amount is resisted on some other ground of defence.

In default of that payment the defendant shall be liable to bear the costs of the suit, even if he succeeds in his defence to the extent of the set-off on which he relies.

Where a defendant in his answer raises a defence of set-off which, in the opinion of the Court, is not admissible in that form, the Court may, if it thinks fit, either before or at the hearing, on his application, give him liberty to withdraw the defence and to file a cross-petition, and may make such order

for the hearing of the suit and cross-suit together or otherwise, as the Court thinks just.

A counter-claim shall not be admitted otherwise than as a defence of set-off.

A defendant, raising by his answer a counter-claim by way of defence, shall not be entitled to any order against the plaintiff for any sum of money other than his costs of the suit.

Tender.

161. A defence alleging tender by the defendant shall be accompanied by payment into Court of the amount alleged to have been tendered.

Payment into Court.

162. Payment into Court by the defendant shall be accompanied by an answer or affidavit. The answer or affidavit shall state distinctly that the money paid in is paid in in satisfaction of the plaintiff's claim generally, or (as the case may be) in satisfaction of some specific part of the plaintiff's claim, where the claim is stated in the petition for distinct sums or in respect of distinct matters.

Payment into Court, whether made in satisfaction of the plaintiff's claim generally or in satisfaction of some specific part thereof, operates as an admission of liability to the extent of the amount paid in and no more, and for no other purpose.

Where the defendant pays money into Court the plaintiff shall be at liberty to accept the same in full satisfaction and discharge of the cause of suit in respect of which it is paid in; and in that case the plaintiff may forthwith apply for payment of the money out of Court to him, and on the hearing of the application the Court shall make such order respecting stay of further proceedings in the suit in whole or in part, and respecting costs and other matters, as the Court thinks just.

If the plaintiff does not so apply he shall be considered as insisting that he has a claim against the defendant to a greater amount than the sum paid in; and in that case the Court, in determining the suit and disposing of costs, shall have regard to the fact of the payment into Court having been made and not accepted.

Absconding Defendants.

163. The Court, on proof that there is good reason to believe that a defendant means to abscond in order to avoid the orders of the Court, after suit or other proceeding instituted, may, if it thinks fit, make an order to hold him to bail, and may require of him such security as it thinks fit for his remaining within the particular jurisdiction and abiding by any order to be made in the suit or proceeding.

Guardian of Defendant for Purposes of Suit.

164. Where, on default made by a defendant in answering or otherwise defending the suit after service of the petition, it appears to the Court that he is an infant or a person of weak or unsound mind, so that he is unable of himself to defend the suit, the Court may, if it thinks fit, on the application of the plaintiff, or of its own motion, appoint by order some fit person to be guardian of the defendant for the purposes of the suit, by whom he may defend it.

Before such an order is made, the Court shall cause such notice as it thinks reasonable to be served on or left at the dwelling-house of the person with whom or under whose care the defendant is, and also, unless the Court sees good reason to the contrary, in the case of an infant

not residing with or under the care of his father or guardian, to be served on or left at the dwelling-house of his father or guardian.

Facts occurring after Suit.

165. The Court may, by order, allow facts occurring after the institution of a suit to be introduced by way of amendment into the petition or answer at any stage of the proceedings.

Death of Party or other Change.

166. Where, after the institution of a suit, any change or transmission of interest or liability occurs in relation to any party to suit, or any party to the suit dies, or (being a woman) marries, or the suit in any other way becomes defective or incapable of being carried on, any person interested may obtain from the Court any order requisite for curing the defect, or enabling or compelling proper parties to carry on the proceedings.

But any person served with such an order may, within such time, not exceeding fourteen days, as the Court in the order directs, apply to the Court to discharge the order.

Settlement of Issues.

167. At any time after answer, the Court may, if it thinks fit, on the application of any party, or of its own motion, proceed to ascertain the material questions in controversy between the parties, and may reduce those questions into writing and settle them in the form of issues, which issues, when settled, shall, for the purposes of the subsequent proceedings, supersede the petition and answer, except that the petition and answer may be used, as containing admissions or otherwise, for purposes of evidence on the trial of the issues.

Dismissal for want of Prosecution.

168. Where the plaintiff does not obtain an order for setting down the suit for hearing within three months from the time at which he might first apply for it, the defendant may apply to the Court for an order to dismiss the petition for want of prosecution.

The Court, thereupon, if it thinks fit, may make an order dismissing the petition, or may make such other order or impose such terms as it thinks fit.

Absence of Parties at Hearing.

169. If, at the hearing, the plaintiff does not appear, the Court shall, unless the Court sees good reason to the contrary, strike out the suit, and make such order respecting costs in favour of any defendant appearing as the Court thinks just.

If the plaintiff a second time in like manner fails to appear, the Court shall, unless it sees good reason to the contrary, dismiss the petition, which dismissal shall have the like effect as a dismissal on the merits at the hearing.

170. If, at the hearing, the plaintiff appears, but the defendant or any of the defendants does not appear, the Court shall, before hearing the suit, inquire into the service of the petition and of notice of hearing on the absent party or parties.

The Court, if not satisfied respecting service on every party, shall order that further service be made as the Court directs, and shall adjourn the hearing for that purpose.

The Court, on being satisfied respecting service on every party, may, if it thinks fit, proceed to hear the suit, notwithstanding the absence of the defendant or any of the defendants.

171. If the Court hears the suit and makes an order against a defendant in his absence, the Court may afterwards, on such terms as the Court thinks fit, re-hear the suit on proof that his absence was excusable, and that he has a defence on the merits.

Amendments at Hearing.

172. The Court shall, at the hearing, order all such amendments as the Court thinks necessary or proper for bringing to a determination in the suit the real questions in controversy between the parties.

Reference of Account.

173. Where it appears to the Court that the matter in dispute in a suit consists either wholly or in part of matters of mere account, the Court may, according to the amount of public business pending, either decide at once the matters of account, or order that they be referred, either wholly or in part, to some person agreed on by the parties, or, in case of their non-agreement, appointed by the Court.

The referee shall enter into the account and hear evidence and report on it to the Court, according to the order, and the Court, after hearing the parties, may adopt the conclusions of the report, either wholly or in part, or may direct a further report to be made by the referee, and may grant any necessary adjournment for that purpose.

Case for Supreme Court.

174. In any Court other than the Supreme Court any decision or judgment may be given, or verdict taken, subject to a case to be stated for the opinion for the Supreme Court.

Application by Motion.

175. An application made by motion shall not be entertained until the party moving has filed in the Court a written motion-paper stating the terms of the order sought.

There shall be filed with the motion-paper all affidavits on which the person moving intends to rely. No other evidence shall be used in support of the motion except by leave of the Court.

No paper accompanying the motion-paper other than an affidavit shall be received.

A motion may be made without notice in the first instance or on notice of motion.

Summons.

176. An application for a summons may be made in writing, or in person.

If the Court thinks fit it may issue a summons ordering the person to whom it is directed, as respondent, to appear at the time and place specified therein, and stating the nature of the application to be made.

On the return-day of the summons, if the respondent attends, or in his absence, on proof of service, the Court may, on the application of the person obtaining the summons, consider and deal with the application in a summary way.

Orders.

177. Where an order is made without service of notice of the application, an office copy of the affidavit or deposition on which the order is made shall be served on the person affected by the order, with the order.

Any person affected by the order may, within seven days after service of it, but not later, except by leave of the Court, apply to the Court to vary

or discharge it; and the Court, on notice to the person obtaining the order, may make such order as the Court thinks just.

178. An order to show cause shall specify a day when cause is to be shown, called the return-day to the order, which shall ordinarily be not less than four days after service.

A person served with an order to show cause may, before the return-day, file affidavits in order to contradict the evidence used in obtaining the order, or setting forth other facts.

On the return-day, if the persons served do not appear, and service is not proved, the Court may enlarge the time and direct further service, or make such other order as it thinks just.

If the persons served appear, or service is proved, the Court may proceed with the matter, and make such order as it thinks just.

179. Where a person not a party to a suit obtains an order, or has an order made in his favour, he is entitled to enforce obedience thereto by the same process as if he were a party to the suit.

A person not a party to a suit against whom obedience to an order may be enforced is liable to the same process for enforcing obedience thereto as if he was a party to the suit.

180. All money ordered by the Court to be paid by any person shall be paid into Court, unless the Court otherwise directs.

181. An order shall be drawn up in form only on the application of some party to the suit, and shall then be passed and be certified by the seal of the Court, and be entered, and shall then form part of the record.

An order shall not be enforced or appealed from, nor shall an office copy of it be granted, until it is part of the record.

~~An~~ order shall be dated on the day of the delivery of the decision or judgment on which the order is founded.

Any party to an application or suit is entitled to obtain an office copy of any order made therein.

182. Ordinarily, an order, other than an order of the Supreme Court, shall not be enforced out of the particular jurisdiction.

Where, however, the Court making the order thinks that the urgency or other peculiar circumstances of the case so require, the Court (for reasons recorded in the minutes) may order it to be enforced out of the particular jurisdiction.

183. Where an order orders a person to pay money, or do any other act, the same or some subsequent order shall state the precise time within which the payment, or other act, is to be made or done, reckoned from the date or service of the order in which the time is stated, or from some other point of time, as the Court thinks fit.

The time stated may be immediately after service of the order, if the Court thinks fit.

A person ordered to pay money, or do any other act, is bound to obey the order on being served with it, and without any demand for payment or performance.

Order for Payment of Money.

184. The Court may, if it thinks fit, order that money ordered to be paid by instalments specified.

185. Where an order orders payment of money, there shall be indorsed on the copy of it served on the person required to obey it, a memorandum in the words, or to the effect, following:—

If you, the within-named A B, neglect to obey this order by the time therein appointed, you will be liable to have a writ of execution

issued against your goods, under which they may be seized and sold; and you will also be liable to be summoned by the Court, and to be examined respecting your ability to make the payment directed by this order, and to be imprisoned in case of your not answering satisfactorily on that examination.

186. Where an order orders payment of money, and the person ordered to pay refuses or neglects to do so according to the order, a person entitled to the benefit of the order may apply to the Court for execution against the goods of the disobedient person.

Thereupon the Court shall, unless it sees good reason to the contrary, issue an order of execution (in this Order called an execution order), ordering and empowering an officer of the Court, therein named, to levy the money ordered to be paid, by distress and sale of the goods of the disobedient person (in this Order called the execution debtor), wheresoever they may be found, within the particular jurisdiction.

On the order there shall be indorsed the sum of money and costs adjudged and the further sum to be levied for costs of the execution.

187. Where an order orders payment of money by instalments, execution shall not issue until after default in payment of some instalment according to the order; and execution, or successive executions, may then issue for the whole money then remaining unpaid, or for such portion thereof as the Court orders, either when making the original order or at any subsequent time.

188. The officer executing the order may, by virtue thereof, seize any of the goods of the execution debtor, except the wearing apparel and bedding of himself and his family, and the tools and implements of his trade, to the value of 5*l.*, all which shall to that extent be exempted from seizure.

189. The sale of the goods seized shall be made by order of the Court, and shall be conducted under the direction of the Court, and by a person nominated by the Court.

But no steps shall be taken therein without the demand of the person obtaining the execution order (in this Order called the execution creditor), and the execution creditor shall be liable for any damage ensuing from any proceeding taken at his instance.

The sale shall not be made until after the end of five days at least next following the day of seizure, unless the goods are of a perishable nature, or on the request in writing of the execution debtor.

Until sale the goods shall be deposited by the officer in some fit place, or they may remain in the custody of a fit person approved by the Court and put in possession by the officer.

190. The Court shall not order the sale of the goods seized unless it is proved that they belong to the execution debtor, and are in a place where the Court has jurisdiction.

Where a claim is made by a third party to the goods or part thereof, the same, if made by a subject or protected person, shall be decided by the Court in a summary way, as between the claimant and the execution creditor.

If the claim is made by an Ottoman subject or foreigner, the Court may, if it thinks fit, either oblige the execution creditor to establish his claim before selling the goods or sell the goods and require the execution creditor to defend any claim.

191. The officer executing an execution order may, by virtue thereof, seize any money, bank-

notes, cheques, bills of exchange, promissory notes, bonds, or securities for money belonging to the execution debtor.

The Court shall hold the same (other than money and securities immediately convertible into money) as security for the amount directed to be levied, or so much thereof as is not otherwise levied, for the benefit of the execution creditor.

The execution creditor may sue in the name of the execution debtor, or in the name of any person in whose name the execution debtor might have sued, for recovery of the money secured or made payable thereby, when the time for suing arrives.

192. If before or after seizure the execution debtor, by payment into Court or to the officer executing the order, satisfies the execution, the order shall be superseded, and the goods and property seized shall be released and delivered up.

Commitment of Debtor.

193. Where an order ordering payment of money remains wholly or in part unsatisfied (whether an execution order has been made or not), the person prosecuting the order (in this Order called the judgment creditor) may apply to the Court for an order, ordering the person by whom payment is to be made (in this Order called the judgment debtor) to appear and be examined respecting his ability to make the payment; and the Court shall, unless it sees good reason to the contrary, make an order accordingly.

194. On the appearance of the judgment debtor, he may be examined on oath by or on behalf of the judgment creditor, and by the Court, respecting his ability to pay the money directed to be paid, and for discovery of property applicable thereto, and respecting his disposal of any property.

He shall produce, on oath or otherwise, all books, papers, and documents in his possession or power relating to any property applicable to payment.

He may be examined respecting the circumstances under which he contracted or incurred the debt or liability, in respect of which the payment of money is ordered to be made, and respecting the means or expectation he then had of paying or discharging the debt or liability.

He shall sign his examination as taken down in writing.

Whether the judgment debtor appears or not, the judgment creditor, and any witness whom the Court thinks requisite, may be examined, on oath or otherwise, respecting the same matters.

The Court may, if it thinks fit, adjourn the examination from time to time, and require from the judgment debtor such security for his appearance as the Court thinks fit, and in default of his finding security may, by order, commit him to the custody of an officer of the Court, there to remain until the adjourned hearing, unless sooner discharged.

195. If it appears to the Court by the examination of the judgment debtor, or other evidence—

- (i) that the judgment debtor has then, or has had since the making of the order, sufficient means to pay the money directed to be paid by him, and he refuses or neglects to pay the same according to the order; or
- (ii) that, with intent to defraud his creditors, or any of them, he has made or suffered any gift, delivery, or transfer of any property, or charged, removed, or concealed any property; or
- (iii) that the debt or liability in question has been contracted or incurred by him by or

reason of fraud, or false pretence, or breach of trust, committed by him; or

(iv) that forbearance thereof was obtained by him by fraud or false pretence; or

(v) that the debt or liability was wilfully contracted or incurred by him without his having had at the same time a reasonable expectation of being able to pay or discharge it; then and in any such case the Court may, if it thinks fit, by order, commit him to prison for any time not exceeding forty days.

196. On the examination, the Court, if it thinks fit, whether it makes an order for commitment or not, may rescind or alter any order for the payment of money by instalments or otherwise, and may make any further or other order, either for payment of the whole amount forthwith, or by instalments, or in any other manner, as the Court thinks just.

197. In places where there is no other place for the detention of a debtor in custody than the prison of the Ottoman authorities, the Court shall not commit the debtor to prison if it appears that that prison is unfit, regard being had to the requirements of health and decency, for the confinement of a subject or protected person under civil process.

198. The expenses of the judgment debtor's maintenance in prison shall be defrayed, in the first instance, by the judgment creditor, and may be recovered by him as the Court directs.

The expenses shall be estimated by the Court, and shall be paid by the judgment creditor at such times and in such manner as the Court directs. In default of payment, the judgment debtor may be discharged if the Court thinks fit.

199. Imprisonment of a judgment debtor under the foregoing provisions shall not operate as a satisfaction or extinguishment of the debt or liability to which the order relates, or protect the debtor from being anew imprisoned for any new fraud or other default making him liable to be imprisoned, or deprive the judgment creditor of any right to have execution against his goods, as if there had not been such imprisonment.

200. The judgment debtor, on paying at any time the amount ordered to be paid, and all costs and expenses, shall be discharged.

Order other than for Payment of Money.

201. Where the order is one ordering some act to be done other than payment of money, there shall be indorsed on the copy of it served on the person required to obey it, a memorandum in the words, or to the effect following:—

If you, the within-named A B, neglect to obey this order within the time therein appointed, you will be liable to be arrested, and to have your property sequestered.

202. Where the person directed to do the act refuses or neglects to do it according to the order, the person prosecuting the order may apply to the Court for another order for the arrest of the disobedient person.

Thereupon the Court shall, unless it sees good reason to the contrary, make an order ordering and empowering an officer of the Court therein named to take the body of the disobedient person, and detain him in custody until further order.

He shall be liable to be detained in custody until he has obeyed the order in all things that are to be immediately performed, and given such security as the Court thinks fit to obey the order in other respects (if any) at the future times

thereby appointed, or in case of his no longer having the power to obey the order, then until he has been imprisoned for such time, or until he has paid such fine as the Court thinks just.

Sequestration.

203. In case the person against whom an order of arrest issues is not and cannot be found, or is taken and detained in custody without obeying the order, then the person prosecuting the order may apply to the Court for an order of sequestration against his property.

Pauper.

204. The Court may admit a person to sue as a pauper, on his poverty, and his having a case proper for some relief in the Court, being proved; and may admit a person to defend as a pauper on his poverty being proved.

The Court may if it thinks fit, by order, assign a counsel or attorney to assist a person admitted to sue or defend as a pauper, and the counsel or attorney so assigned shall not be at liberty to refuse his assistance, unless he satisfies the Court of some good reason for refusing.

If a person admitted to sue or defend as a pauper gives or agrees to give any fee, profit, or reward for the conduct of his business in the Court, he shall be deemed guilty of a contempt of Court, and he shall also be forthwith dispaupered, and shall not be afterwards admitted again in that suit to sue or defend as a pauper.

A person admitted to sue or defend as a pauper may be dispaupered by order of the Court, on it being proved that he was not when admitted, or no longer is, of sufficient poverty, or that he is abusing his privilege by vexatious proceedings.

Re-hearing.

205. The Court may, if it thinks fit, at any time, on the application of any party, order a re-hearing of a suit.

The provisions of this Order respecting a hearing with a jury or with assessors shall extend to a re-hearing.

VIII.—PROCEEDINGS ON DEATH OF SUBJECT OR PROTECTED PERSON.

1.—Preliminary.

206. The Court shall endeavour to obtain, as early as may be, notice of the death of every subject or protected person dying within the particular jurisdiction, whether resident or not, and all such information respecting his affairs as may serve to guide the Court with respect to the securing and administration of his property.

On receiving notice of the death, the Court shall put up a notice thereof at the place where its sittings are ordinarily held, and shall keep the same there until probate or administration is granted, or where it appears to the Court that probate or administration will not be applied for, or cannot be granted, for such time as the Court thinks fit.

207. Where a subject or protected person resident dies in the Ottoman dominions intestate, then, until administration is granted, his personal property shall be vested in the Judge of the Supreme Court.

208. Where a subject or protected person not resident dies in the Ottoman dominions, the Court within whose particular jurisdiction he dies shall, where the circumstances of the case appear to the Court so to require, forthwith on his death, or as

soon after as may be, take possession of his personal property within the particular jurisdiction, or put it under the seal of the Court (in either case if the nature of the property or other circumstances so require, making an inventory), and so keep it until it can be dealt with according to law.

209. If any person, other than the person named, executor or administrator or an officer of the Court, takes possession of and administers or otherwise deals with any part of the personal property of a subject or protected person dying in the Ottoman dominions, whether resident or not, he shall be deemed guilty of a contempt of Court, and shall be liable to such fine, not exceeding 50*l.*, as the Court having jurisdiction over the property of the deceased thinks fit to impose.

210. Where a subject or protected person dies in the Ottoman dominions, whether resident or not, then any person having in his possession or under his control any paper or writing of the deceased, being or purporting to be testamentary, shall forthwith bring the original to the Court within whose particular jurisdiction the death happens, and deposit it there.

If any person fails to do so for fourteen days after having knowledge of the death of the deceased, he shall be deemed guilty of a contempt of Court, and shall be liable to such fine not exceeding 50*l.*, as the Court thinks fit to impose.

211. Where it is shown to the Court that any paper of the deceased, being or purporting to be testamentary, is in the possession or under the control of a subject or protected person, the Court may, in a summary way, whether a suit or proceeding respecting probate or administration is pending or not, order him to produce the paper and bring it into Court.

Where it appears to the Court that there are reasonable grounds for believing that any person has knowledge of any paper being or purporting to be testamentary (although it is not shown that the paper is in his possession or under his control), the Court may, in a summary way, whether a suit or proceeding for probate or administration is pending or not, order that he be examined respecting it in open Court or on interrogatories, and that he do attend for that purpose, and after examination that he do produce the paper and bring it into Court.

2.—Probate or Administration in General.

212. Probate or letters of administration with will annexed shall not issue for seven days from the death of the deceased, except under the direction of the Supreme Court, or in case of great urgency.

Letters of administration (not with will annexed) shall not issue for fourteen days from the death of the deceased, except under the direction of the Supreme Court, or in case of great urgency.

213. If any person, named executor in the will of the deceased, takes possession of and administers or otherwise deals with any part of the personal property of the deceased, and does not obtain probate within one month after the death, or after the termination of any suit or dispute respecting probate or administration, he shall be deemed guilty of a contempt of Court, and shall be liable to such fine, not exceeding 50*l.*, as the Court thinks fit to impose.

214. The Court may, of its own motion, or on the application of any person claiming an interest under a will, give notice to the executors (if any) therein named, to come in and prove the will or to

renounce probate, and they, or some or one of them shall, within fourteen days after notice, come in and prove or renounce accordingly.

215. Where probate or administration is, for the first time, applied for after three years from the death of the deceased, a grant shall not be made except under the direction of the Supreme Court.

216. Where the deceased was resident in the particular jurisdiction of a Court other than the Supreme Court, an application for a grant of probate or administration shall not be entertained by the Supreme Court, except on request of that other Court.

217. Where, in a Court other than the Supreme Court, a dispute or question arises in relation to the grant or the application for it, or it appears to the Court doubtful whether or not the grant should be made, the Court shall communicate with the Supreme Court.

The Supreme Court shall direct the other Court to proceed in the matter according to such instructions as the Supreme Court thinks fit, or shall by order remove the matter to the Supreme Court.

218. A Court, other than the Supreme Court, before proceeding on an application, shall ascertain that the deceased was at his death resident in the particular jurisdiction, and shall not for this purpose consider itself bound to rest satisfied with the evidence offered by the applicant.

219. The Court shall require evidence, in addition to that offered by the applicant, of the identity of the deceased, or of the applicant, where additional evidence in that behalf seems to the Court necessary or desirable.

220. The Court shall ascertain the value of the property of the deceased as correctly as circumstances allow.

221. In no case shall the Court issue probate or letter of administration until all inquiries which the Court sees fit to institute have been answered to its satisfaction.

The Court shall, however, afford as great facility for the obtaining of probate or administration as is consistent with due regard to the prevention of error and fraud.

222. In the following cases a grant shall not issue except from the Supreme Court under the immediate direction of the Judge, namely :

probate or administration with will annexed, where the will was executed before the 1st of January 1838, and there is no testamentary paper of a date later than the 31st of December 1837,—

probate and administration with will annexed, the will being merely an execution of a special power, or being the will of a married woman made by virtue of a power; administration for the use or benefit of a minor or infant, or of a lunatic or person of unsound mind;

administration (with or without will annexed) of the property of a bastard dying either a bachelor or spinster, or a widower or widow without issue, or of a person dying without known relative;

limited administration; Administration to be granted to a person not resident.

223. Revocation or alteration of a grant of probate or administration shall not be made except by the Supreme Court under the immediate direction of the Judge.

224. A notice to prohibit a grant of probate or administration may be filed in the Supreme or other Court.

Immediately on such a notice being filed in the Supreme Court, a copy thereof shall be sent to the Court of the district (if any) in which it is alleged the deceased was resident at his death, and to any other Court to which it appears to the Supreme Court expedient to send a copy.

Immediately on such a notice being filed in a Court other than the Supreme Court, the Court shall send a copy thereof to the Supreme Court, and also to the Court of any other district in which it is known or alleged the deceased had at his death a place of abode.

The notice shall remain in force three months only from the day of filing; but it may be renewed from time to time.

The notice shall not affect a grant made on the day on which the notice is filed, or on which a copy thereof is received, as the case may be.

The person filing the notice shall be warned by a warning in writing, under the seal of the Court, delivered at the place mentioned in the notice as his address.

After the notice has been filed in, or a copy thereof has been received by, a Court other than the Supreme Court, a grant of probate or administration shall be made only by the Supreme Court, under the immediate direction of the Judge.

225. Notices in the nature of citations shall be given by publication in such newspapers, or in such other manner as the Court in each case thinks fit.

226. Suits respecting probate or administration shall be instituted by petition; and the provisions of this Order respecting proceedings in other suits instituted by petition shall extend and apply thereto.

227. Every original will, of which probate or administration with will annexed is granted, shall be filed and kept in the public office of the Supreme or other Court from which the grant issues, in such manner as to secure at once the due preservation and the convenient inspection of the same.

No original will shall be delivered out for any purpose without the direction in writing of the Judge of the Supreme Court.

An office copy of the whole or of any part of a will, or an official certificate of a grant of administration, may be obtained from the Supreme or other Court where the will is proved or the administration granted, on payment of the proper fees.

228. On the 1st of February and the 1st of August in every year, every Court other than the Supreme Court shall send to the Supreme Court—

A list of the grants of probate and administration made by the Court up to the last preceding 1st of January and 1st of July respectively, not included in any previous list;

And a copy, certified by the Court to be a correct copy of every will to which each probate or administration relates.

3.—*Probate or Administration with Will annexed.*

229. On receiving an application for probate or for administration with will annexed, the Court shall inspect the will and see whether it appears to be signed by the testator, or by some other person in his presence and by his direction, and to be subscribed by two witnesses, according to the enactments relative thereto, and shall not proceed fur-

ther if the will does not appear to be so signed and subscribed.

If the will appears to be so signed and subscribed, the Court shall then refer to the attestation clause (if any), and consider whether the wording thereof states the will to have been, in fact, executed in accordance with those enactments.

If there is no attestation clause, or if the attestation clause is insufficient, the Court shall require an affidavit from at least one of the subscribing witnesses, if either of them is living, to prove that the will was, in fact, executed in accordance with those enactments.

The affidavit shall be engrossed and form part of the probate, so that the probate may be a complete document on the face of it.

If, on perusal of the affidavit, it appears that the will was not, in fact, executed in accordance with those enactments, the Court shall refuse probate.

If, on perusal of the affidavit, it appears to the Court doubtful whether or not the will was, in fact, executed in accordance with those enactments, the Court, if other than the Supreme Court, shall communicate with the Supreme Court for directions.

If both the subscribing witnesses are dead, or if, from other circumstances, such an affidavit cannot be obtained from either of them, resort for such an affidavit shall be had to other persons (if any) present at the execution of the will; but if no such affidavit can be obtained, proof shall be required of that fact and of the handwritings of the deceased, and of the subscribing witnesses, and also of any circumstances raising a presumption in favour of the due execution of the will.

280. Where the testator was blind or illiterate, the Court shall not grant probate of the will, or administration with the will annexed, unless the Court is first satisfied, by proof or by what appears on the face of the will, that the will was read over to the deceased before its execution, or that he had at that time knowledge of its contents.

Where this information is not forthcoming, the Court, if other than the Supreme Court, shall communicate with the Supreme Court for directions.

281. The Court, on being satisfied that the will was duly executed, shall carefully inspect it to see whether there are any interlineations or alterations or erasures or obliterations appearing in it, and requiring to be accounted for.

Interlineations, alterations, erasures, and obliterations are invalid unless they existed in the will at the time of its execution, or unless, if made afterwards, they have been executed and attested in the mode required by the said enactments, or unless they have been made valid by the re-execution of the will, or by the subsequent execution of some codicil thereto.

Where interlineations, alterations, erasures, or obliterations appear in the will (unless duly executed or recited in or otherwise identified by the attestation clause), an affidavit, in proof of their having existed in the will before its execution, shall be filed.

If no satisfactory evidence is adduced respecting the time when an erasure or obliteration was made, and the words erased or obliterated are not entirely effaced, and can, on inspection of the will, be ascertained, they shall form part of the probate.

Where words have been erased which might have been of importance, an affidavit shall be required.

If reasonable doubt exists in regard to any interlineation, alteration, erasure, or obliteration, the

Court, if other than the Supreme Court, shall communicate with the Supreme Court for directions.

282. Where a will contains a reference to any document, of such a nature as to raise a question whether it ought or ought not to form a constituent part of the will, the Court shall require the production of the document, with a view to ascertain whether or not it is entitled to probate; and if it is not produced, a satisfactory account of its non-production shall be proved.

A document cannot form part of a will unless it was in existence at the time when the will was executed.

If there are vestiges of sealing-wax or wafers or other marks on the will, leading to the inference that some document has been at some time annexed or attached thereto, a satisfactory account of them shall be proved, or the production of the document shall be required; and if it is not produced, a satisfactory account of its non-production shall be proved.

If doubt exists whether or not a document is entitled to probate as a constituent part of a will, the Court, if other than the Supreme Court, shall communicate with the Supreme Court for directions.

283. Where a person appointed executor in a will survives the testator, but either dies without having taken probate, or having been called on by the Court to take probate, does not appear, his right in respect of the executorship wholly ceases; and, without further renunciation, the representation to the testator and the administration of his property go and may be committed as if that person had not been appointed executor.

284. Every will or copy of a will to which an executor or an administrator with will annexed is sworn shall be marked by the executor or administrator and by the person before whom he is sworn.

285. The Court shall take care that the copies of wills to be annexed to probates or letters of administration are fairly and properly written, and shall reject any not so written.

4.—*Intestacy.*

286. The Court, in granting letters of administration, shall proceed, as far as may be, as in cases of probate.

The Court shall ascertain the time and place of the deceased's death, and the value of the property to be covered by the administration.

The person to whom administration is granted shall give bond with two or more responsible subjects, or protected persons, as sureties, to the Judge of the Supreme Court, to ensure to the Judge for the time being, conditioned for duly collecting, getting in, and administering the personal property of the deceased.

Where, however, the property is under the value of 50/-, the Court may, if it thinks fit, take one surety only.

The bond shall be in a penalty of double the amount under which the personal estate of the deceased is sworn, unless the Court in any case thinks it expedient to reduce the amount, for reasons to be forthwith certified to the Supreme Court, if the Court is other than that Court.

The Court may also in any case direct that more bonds than one shall be given, so as to limit the liability of any surety to such amount as the Court thinks reasonable.

The Judge of the Supreme Court may, on being satisfied that the condition of the bond has been

broken, assign the same to some person, and that person may thereupon sue on the bond in his own name, as if it had been originally given to him instead of to the Judge, and may recover thereon, as trustee for all persons interested, the full amount recoverable in respect of any breach of the condition of the bond.

237. Where administration is applied for by one or some of the next-of-kin only, there being another or other next-of-kin equally entitled thereto, the Court shall require proof that notice of the application has been given to the other next-of-kin.

5.—Administration of Property.

238. A person claiming to be a creditor or legatee, or the next-of-kin, or one of the next-of-kin, of a deceased person, may apply for and obtain, without petition filed or other preliminary proceeding, a summons from the Court requiring the executor or administrator (as the case may be) of the deceased to attend before the Court and show cause why an order for the administration of the property of the deceased should not be made.

On proof of service of the summons, or on appearance of the executor or administrator, and on proof of all such other things (if any) as the Court thinks fit, the Court may, if it thinks fit, make an immediate order for the administration of the property of the deceased, and the order so made shall have the force of an order to the like effect made on the hearing of a suit between the same parties.

The Court shall have full discretionary power to make or refuse any such order, or to give any special directions respecting the carriage or execution of it, and in the case of applications for such an order by two or more different persons or classes of persons, to grant the same to such one or more of the claimants, or classes of claimants, as the Court thinks fit.

If the Court thinks fit, the carriage of the order may subsequently be given to such person, and on such terms, as the Court thinks fit.

On making such an order, or at any time afterwards, the Court may, if it thinks fit, make any further or other order for compelling the executor or administrator to bring into Court for safe custody, all or any part of the money, or securities, or other property of the deceased, from time to time coming to his hands, or otherwise for securing the safe-keeping of the property of the deceased, or any part thereof.

If the extreme urgency or other peculiar circumstances of the case appear to the Court so to require (for reasons recorded in the minutes), the Court may of its own motion issue such a summons, and make such an order or such orders, and cause proper proceedings to be taken thereon.

239. In a case of intestacy, where the peculiar circumstances of the case appear to the Court so to require (for reasons recorded in the minutes), the Court may, if it thinks fit, of its own motion, grant letters of administration to an officer of the Court.

The officer so appointed shall act under the direction of the Court, and shall be indemnified thereby.

He shall publish such notices, if any, as the Court thinks fit, in the Ottoman dominions, the United Kingdom, India and elsewhere.

The Court shall require and compel him to file in the Court his accounts of his administration at intervals not exceeding three months.

The accounts shall be in all cases audited by the Supreme Court, or in Egypt by the Court for Egypt; for which purpose every Court other than those shall, on the first day of February and the first day of August, in every year, send to the Supreme Court, or to the Court for Egypt, as the case requires, all accounts so filed in the then last preceding half-year.

IX.—APPEAL TO SUPREME COURT.

1.—General Provisions.

240. Where in a civil suit or proceeding a decision of a Court other than the Supreme Court, sitting with or without assessors—

- (i) is given in respect of a sum of 50*l.* or upwards; or
- (ii) determines, directly or indirectly, a claim or question respecting money, goods, or other property or any civil right or other matter of the amount or value of 50*l.* or upwards:

any party aggrieved by the decision may apply to the Court (in this Order referred to as the Court below) for leave to appeal to the Supreme Court.

The applicant shall give security to the satisfaction of the Court below, to an amount not exceeding 100*l.* for prosecution of the appeal, and for payment of all such costs as may be awarded to any respondent by the Supreme Court.

He shall also pay into the Court below a sum estimated by that Court to be the amount of the expense of the making-up and transmission to the Supreme Court of the record.

If security and payment are so given and made within fourteen days after application made, then and not otherwise the Court below shall (subject to the provisions of this Order) give leave to appeal.

In any other case the Court below may, if that Court thinks fit, give leave to appeal on like terms.

In any case the Supreme Court may give leave to appeal on such terms as that Court thinks just.

241. After six months from the date of an order, application for leave to appeal against it shall not be entertained by the Court below.

After twelve months from the date of an order, application for leave to appeal against it shall not be entertained by the Supreme Court.

242. Where leave to appeal is applied for by a person ordered to pay money, or do any other act, the Court below shall direct either that the decision to be appealed from be carried into execution, or that the execution thereof be suspended pending the appeal, as that Court thinks just.

If the Court directs the decision to be carried into execution, the person in whose favour it is given shall, before the execution of it, give security to the satisfaction of the Court for performance of such order as shall be made on appeal.

If the Court directs the execution of the decision to be suspended, the person against whom it is given shall, before an order for suspension is made, give security to the satisfaction of the Court for performance of such order as shall be made on appeal.

243. An appeal shall not lie from an order made without notice.

If any person thinks himself aggrieved by an order so made, he may apply to the Court below to vary or discharge it, and an appeal lies from the decision on that application.

244. An appeal from an order made at the hearing of a suit shall be made by petition.

Other appeals shall be made by motion.

2. APPEALS BY PETITION.

245. In case of an appeal by petition, the appellant shall file his petition of appeal in the Court below within fourteen days after leave to appeal is given.

246. The petition shall contain an exposition of the appellant's case as supported by evidence already before the Court and by the record as it stands.

It shall set forth the grounds of appeal and the particulars in which the order appealed from is considered by the appellant to be erroneous or defective, and shall pray that the order may be reserved or varied, and that the Supreme Court may make the particular order to which, on the record and evidence as it stands, the appellant conceives himself entitled, or such other order as the Court shall think just.

It may contain any matter by way of argument in support of the appeal.

The petition of appeal shall be served on such persons as respondents as the Court below directs.

247. A respondent may, within fourteen days after service, file in the Court below an answer to the petition.

The answer shall contain an exposition of his case as supported by the evidence already before the Court, and by the record as it stands.

It may contain any matter by way of argument against the appeal.

Copies of the answer shall be furnished by the Court below to such persons as the Court thinks fit.

248. An objection to an appeal as being out of time, or on any ground other than on the merits, shall be substantially raised by the party desiring to rely thereon in and by his answer.

Where an answer is not filed, or such an objection is not raised in the answer, no such objection shall be admitted at the hearing of the appeal.

But the absence of an answer shall not preclude any person interested in supporting the order from supporting it on the merits at the hearing of the appeal.

249. On the expiration of the time for answering, the Court below shall, without receiving any further pleading in appeal, and without the application of any party, make up the record of appeal, which shall consist of the petition, answer, orders, and proceedings, a certified copy of all written and documentary evidence admitted or tendered, and the notes of the oral evidence, the petition of appeal, and the answer.

The several pieces shall be fastened together, consecutively numbered, and the whole shall be secured by the seal of the Court below, and be forthwith forwarded by that Court to the Supreme Court.

The Court below shall not, except for some special cause, take on itself the responsibility of the charge or of the transmission to the Supreme Court of original letters or documents produced in evidence. They shall be returned to the parties producing them, and they shall produce the originals if required by the Supreme Court, at or before the hearing of the appeal.

250. After the record of appeal is transmitted, until the appeal is disposed of, the Supreme Court shall be in possession of the whole suit as between the parties to the appeal.

Every application in the suit shall be made to the Supreme Court, and not to the Court below, but any application may be made through the Court below.

251. The Supreme Court shall, after receiving the record of appeal, fix a day for the hearing thereof, and shall give notice thereof through the Court below to the parties to the appeal, such a day being fixed as will allow of the parties attending in person or by counsel or attorney, if they so desire.

But if all the several parties to an appeal appear in person at Constantinople or appoint persons there to represent them as their counsel or attorneys in the appeal and cause the appearance or appointment to be notified to the Supreme Court, the Court shall dispose of the appeal, without giving notice through the Court below of the day fixed for the hearing thereof.

252. The Supreme Court may, if it thinks fit, require a party to an appeal to appear personally before it on the hearing of the appeal, or on any occasion pending the appeal.

253. It is not open, as of right, to a party to an appeal to adduce new evidence in support of his original case, but a party may allege any facts essential to the issue that have come to his knowledge after the decision of the Court below, and may adduce evidence in support of his allegations.

The Supreme Court may, if it thinks fit, allow or require new evidence to be adduced.

254. The Supreme Court may, from time to time, make any order necessary for determining the real question in controversy in the appeal, and for that purpose may, as among the parties to the appeal, amend any defect or error in the record of appeal.

The Supreme Court may direct the Court below to inquire into and certify its finding on any question as among those parties, or any of them, which the Supreme Court thinks fit to determine before final judgment in the appeal.

Generally, the Supreme Court shall, as among the parties to the appeal, have as full jurisdiction over the whole suit as if had been originally instituted and prosecuted in the Supreme Court by parties subject to the ordinary original jurisdiction of the Supreme Court, and may re-hear the whole case, or may remit it to the Court below to be re-heard, or to be otherwise dealt with as the Supreme Court directs.

255. On appeal from a Court where trial with a jury can be had, if the Supreme Court thinks fit to direct a re-hearing, it may direct that the re-hearing shall be with a jury.

3.—APPEALS BY MOTION.

256. In case of an appeal by motion the appellant shall file his appeal motion-paper in the Court below within seven days after leave to appeal is given.

He may at the same time file any argument which he desires to submit to the Supreme Court in support of the appeal.

The motion paper and the argument (if any) shall be served on such persons as respondents as the Court below directs.

A respondent may, within seven days after service, file in the Court below such argument as he desires to submit to the Supreme Court against the appeal.

Copies thereof shall be furnished by the Court below to such persons as the Court thinks fit.

On the expiration of the time for the respondent filing his argument, the Court below shall make up the record of appeal as nearly as may be as on an appeal by petition.

Where a party to the appeal notifies to the Supreme Court his desire to attend in person, or by counsel or attorney, when the motion is being disposed of, he shall be at liberty to do so, and the Court shall hear him, or his counsel or attorney, before disposing of the motion.

X.—APPEAL FROM SUPREME COURT, TO HER MAJESTY IN COUNCIL.

257.—Where in a civil suit or proceeding a final order of the Supreme Court, or a rule or order of that Court having the effect of a final or definitive judgment, decree, or sentence—

- (i) is made or given in respect of a sum of 500*l.* or upwards; or
- (ii) determine, directly or indirectly, a claim or question respecting money, goods, or other property, or any civil right or other matter at issue, of the amount or value of 500*l.* or upwards;

any party aggrieved thereby may, within fifteen days after the same is made or given, apply by motion to the Supreme Court for leave to appeal to Her Majesty the Queen in Council.

The applicant shall give security to the satisfaction of the Court to an amount not exceeding 500*l.* for prosecution of the appeal, and for payment of all such costs as may be awarded to any respondent by Her Majesty in Council, or by the Lords of the Judicial Committee of Her Majesty's Privy Council.

He shall also pay into the Supreme Court a sum estimated by that Court to be the amount of the expense of the making-up and transmission to England of the transcript of the record.

If security and payment are so given and made within one month from the filing of the motion-paper for leave to appeal, then, and not otherwise, the Supreme Court shall give leave to appeal, and the appellant shall be at liberty to prefer and prosecute his appeal to Her Majesty in Council according to the rules for the time being in force respecting appeals to Her Majesty in Council from Her Colonies, or such other rules as Her Majesty in Council from time to time thinks fit to make concerning appeals from the Supreme Court.

In any case the Supreme Court, if it considers it just or expedient to do so, may give leave to appeal on the terms and in the manner aforesaid.

258. Where leave to appeal is applied for by a person ordered to pay money or do any other act, the Supreme Court shall direct either that the order appealed from be carried into execution, or that the execution thereof be suspended pending the appeal, as the Court thinks just.

If the Court directs the order to be carried into execution, the person in whose favor it is made shall, before the execution of it, give security to the satisfaction of the Court for performance of such order as Her Majesty in Council may think fit to make.

If the Court directs the execution of the order to be suspended, the party against whom it is given shall, before an order for suspension is made, give security to the satisfaction of the Court for performance of such order as Her Majesty in Council may think fit to make.

259. This Order shall not affect the right of Her Majesty at any time, on the humble petition of a person aggrieved by a decision of the Supreme Court, to admit his appeal thereon on such terms and in such manner as Her Majesty in Council may think fit, and to deal with the decision appealed from in such manner as may be just.

XI.—CRIMINAL AUTHORITY AND PROCEDURE.

1.—GENERAL PROVISIONS.

260. Except as regards offences against the Capitulations, Articles of Peace, and Treaties between Her Majesty the Queen and the Sublime Ottoman Porte, or against any Rules and Regulations for the observance thereof or for the maintenance of order among Her Majesty's subjects and protected persons in the Ottoman dominions made by or under the authority of Her Majesty, or against any of the provisions of this order,—

Any act done by a subject or protected person in the Ottoman dominions or on board a British vessel within those dominions, that would not by a Court of Justice having criminal jurisdiction in England be deemed a crime or offence making the person doing the act amenable to punishment in England, shall not, in the exercise of criminal jurisdiction under this Order, be deemed a crime or offence making the person doing the act amenable to punishment.

261. If a subject or protected person is guilty—

- (i) of publicly deriding, mocking, or insulting any religion established or observed within the Ottoman dominions; or
- (ii) of publicly offering insult to any religious service, feast, or ceremony established or kept in any part of those dominions, or to any place of worship, tomb, or sanctuary belonging to any religion established or observed within those dominions, or belonging to the ministers or professors thereof; or
- (iii) of publicly and wilfully committing any act tending to bring any religion established or observed within those dominions, or its ceremonies, mode of worship, or observances, into hatred, ridicule, or contempt, and thereby to provoke a breach of the public peace:

he shall be deemed guilty of an offence against this Order, and shall for every such offence be liable, in the discretion of the Court, to imprisonment for not more than two years, with or without hard labour, and with or without a fine of not more than 100*l.*, or to a fine of not more than 100*l.* alone.

Notwithstanding anything in this Order, every charge against a subject or protected person of having committed an offence under this provision shall be heard and determined by summary trial; and any Provincial Court held before a commissioned Consular officer shall have power to impose the punishment aforesaid.

Consular officers shall take such precautionary measures as seem to them proper and expedient for the prevention of such offences.

262. Every Court shall have authority to cause to be apprehended and brought before it any subject or protected person being within the district of the Court and charged with having committed a crime or offence within the Ottoman dominions, or on board a British vessel being at the time of the commission thereof within those dominions, and to deal with the accused according to the jurisdiction of the Court, and in conformity with the provisions of this Order; or where the crime or offence is triable and is to be tried in England, to take the preliminary examination, and to commit the accused for trial, and cause or allow him to be taken to England.

263. Where a person charged with a crime or offence escapes or removes from the Consular district within which the crime or offence was committed and is found within another Consular district, the Court within whose district he is found

may proceed in the case to examination, trial on indictment, and punishment, or to summary trial (as the case may require), in like manner as if the crime or offence had been committed in its own district; or may, on the requisition or with the consent of the Court within whose district the crime or offence was committed, send him in custody to that Court, or require him to give security for his surrender to that Court, there to answer the charge and to be dealt with according to law.

Where any person is to be so sent in custody, a warrant shall be issued by the Court within whose district he is found, and that warrant shall be sufficient authority to any person to whom it is directed to receive and detain the person therein named, and to carry him to and deliver him up to the Court within whose district the crime or offence was committed, according to the warrant.

264. Where a warrant or order of arrest is issued by a competent authority in Malta for the apprehension of a subject, a native of Malta, or of any of its dependencies, who is accused of having committed a crime or offence within the jurisdiction of the authority issuing the warrant or order, and who is, or is supposed to be, in the Ottoman dominions, and the warrant or order is produced to the Court, the Court may back the warrant or order, and the same, when so backed, shall be sufficient authority to any person to whom it was originally directed, and also to any constable or any other officer of the Court by which it is backed, to apprehend the accused at any place in the Ottoman dominions where the Court backing the warrant or order has jurisdiction, and to carry him to and deliver him up at Malta, according to the warrant or order.

265. Where a subject is charged with the commission of a crime or offence, the cognizance whereof appertains to the Court, and it is expedient that the crime or offence be inquired of, tried, determined, and punished within Her Majesty's dominions elsewhere than in England, the accused may (under the Foreign Jurisdiction Act, section 4) be sent for trial, as follows, namely,—with respect to native Indian subjects, to Bombay, and with respect to other subjects, to Malta.

The Judge of the Supreme Court or the Court for Egypt may, where it appears so expedient, by warrant under his hand and the seal of that Court, cause the accused to be sent for trial to Bombay or to Malta (as the case may require) accordingly.

The warrant shall be sufficient authority to any person to whom it is directed to receive and detain the person therein named, and to carry him to and deliver him up to Bombay or to Malta (as the case may be) according to the warrant.

Where any person is to be so sent to Bombay or to Malta, the Court before which he is charged shall take the preliminary examination, and shall bind over such of the proper witnesses as are subjects or protected persons in their own recognizances to appear and give evidence on the trial.

2.—SUPREME COURT, AND COURT FOR EGYPT.

266. All crimes which in England are capital, tried elsewhere than in Egypt, shall, subject to the provisions of this Order, be tried by the Judge of the Supreme Court with a jury, or, where, in the opinion of the Judge, a jury cannot be obtained, with an Assessor or Assessors.

Other crimes and offences above the degree of misdemeanour, tried before the Supreme Court,

and not heard and determined by summary trial, shall, subject to the provisions of this Order, be tried with a jury, or, where, in the opinion of the Judge, a jury cannot be obtained, with an Assessor or Assessors.

A crime or offence tried before the Supreme Court may be tried with a jury, or, where, in the opinion of the Judge, a jury cannot be obtained, with an Assessor or Assessors, if the Judge or Assistant-Judge so directs.

Subject to the foregoing provisions, such classes of criminal cases being within the original jurisdiction (ordinary or concurrent) of the Supreme Court and tried before that Court as the Judge, having regard to the law and practice existing in England, from time to time directs, shall be heard and determined by summary trial.

The Assistant-Judge of the Supreme Court shall hear and determine by summary trial such criminal charges as may under this Order be properly so heard and determined, and as are from time to time referred to him by the Judge.

267. All crimes which in England are capital, tried in Egypt, shall, subject to the provisions of this Order, be tried by the Judge of the Court for Egypt with a jury, or, where, in the opinion of the Judge, a jury cannot be obtained, with an Assessor or Assessors.

Other crimes and offences above the degree of misdemeanour, tried before the Court for Egypt, and not heard and determined by summary trial, shall, subject to the provisions of this Order, be tried with a jury, or, where, in the opinion of the Judge, a jury cannot be obtained, with an Assessor or Assessors.

A crime or offence tried before that Court may be tried with a jury, or, where, in the opinion of the Judge, a jury cannot be obtained, with an Assessor or Assessors, if the Judge so directs.

Subject to the foregoing provisions, such classes of criminal cases being within the original jurisdiction (ordinary or concurrent) of the Court for Egypt, and tried before that Court, as the Supreme Court, with the advice and assistance of the Court for Egypt, having regard to the law and practice existing in England, from time to time directs, shall be heard and determined by summary trial.

The Law Secretary of the Court for Egypt shall hear and determine by summary trial such criminal charges as may under this Order be properly so heard and determined, and as are from time to time referred to him by the Judge of the Court for Egypt.

268. The Supreme Court, and the Court for Egypt, may impose the punishment of imprisonment for not more than twenty years, with or without hard labor, and with or without a fine of not more than 500L, or the punishment of a fine alone of not more than 500L.

269. When an accused person is convicted of murder, the proper officer of the Court, under the direction of the Judge, shall, in open Court, require the offender to state if he has anything to say why judgment of death should not be recorded against him.

If the offender does not allege anything that would be sufficient in law to prevent judgment of death if the offence and trial had been committed and had in England, the Judge may order that judgment of death be entered on record.

Thereupon the proper officer shall enter judgment of death on record against the offender, as if judgment of death had been actually pronounced on him in open Court by the Judge.

Where the case is tried in Egypt, the Judge shall forthwith send a report of the judgment, with a copy of the minutes and of the notes of evidence and any observations which he thinks fit to make, to the Supreme Court. The Supreme Court shall send the same to the Secretary of State, for his direction respecting the punishment to be actually imposed.

Where the case is tried elsewhere than in Egypt, the Judge of the Supreme Court shall, in like manner, report the case to the Secretary of State for his direction.

The punishment actually imposed shall not in any case exceed the measure of imprisonment and fine which the Supreme Court and the Court for Egypt, are empowered by this Order to impose.

3.—PROVINCIAL COURT AT TUNIS.

270. The Supreme Court may, from time to time, by deputation in writing under the hand of the Judge and the seal of the Court, authorize the Consul-General at Tunis—

- (i) to exercise there such criminal jurisdiction vested in the Supreme Court, as is described in the deputation; and
- (ii) to refer, from time to time, to the Vice-Consul at Tunis such criminal charges as are described in the deputation;

and all such jurisdiction as aforesaid may be exercised, and all criminal charges referred in pursuance of the deputation shall be so heard and determined, accordingly.

A deputation shall not have effect until it has been approved in writing by the Secretary of State, and may at any time be revoked by the Secretary of State, by writing under his hand, or by the Supreme Court, by writing under the hand of the Judge and the seal of the Court.

In the absence of any such deputation, and as far as the same does not extend, the Consul-General at Tunis shall have the same jurisdiction in criminal matters as he would have had if this provision had not been inserted in this Order.

4.—PROVINCIAL COURTS, GENERALLY.

271. Where the crime or offence with which a person is charged before a Provincial Court, held before a commissioned Consular officer, is any crime or offence other than assault endangering life, cutting, maiming, arson, or housebreaking, and appears to the Court to be such that, if proved, it would be adequately punished by imprisonment, with or without hard labour, for not more than three months, or by a fine of not more than 20*l.*, the Court shall hear and determine the case by summary trial and without Assessors.

In other cases the Court shall hear and determine the case on indictment and with Assessors.

The Court may impose the punishment of imprisonment for not more than twelve months, with or without hard labour, and with or without a fine of not more than 50*l.*, or the punishment of a fine alone of not more than 50*l.*

272. A Provincial Court, held before an uncommissioned Consular officer, shall have authority to impose the punishment only of a fine of not more than five pounds.

The Court shall hear and determine each case by summary trial.

The conviction may be enforced by execution on the goods of the party ordered to pay the fine, and not otherwise.

In any case pending, the Superintending Consul may, on application of either party, order that the case be sent to him, to be heard and determined by

him, or that it be transmitted to the Supreme Court, or in Egypt to the Court for Egypt, to be there heard and determined; and the case shall be so heard and determined accordingly.

Within seven days after deciding any case, the Consular officer shall report the same to his Superintending Consul, and transmit therewith a copy of all the proceedings.

273. Where the crime or offence with which an accused person is charged before the Provincial Court appears to the Court to be such that, if proved, it would not be adequately punished by such punishment as the Court has power to impose, and the accused is not to be sent for trial to England, Bombay, or Malta, the Court shall reserve the case—in Egypt, to be heard and determined by or under the direction of the Court for Egypt—and elsewhere to be heard and determined by or under the direction of the Supreme Court.

The Court shall take the depositions, and forthwith send them, with a minute of other evidence, if any, and a report on the case, to the Court for Egypt, or the Supreme Court as the case may be.

The Court for Egypt or the Supreme Court, as the case may be, shall direct in what mode and where, consistently with the provisions of this Order, the case shall be heard and determined, and the same shall be so heard and determined accordingly.

5.—PRELIMINARY PROCEDURE.

Summons or Warrant.

274. In every case, whether the charge is or is not such as must or may be heard and determined by summary trial, the Court shall proceed, if the accused is not already in custody, either by way of summons to him, or by way of warrant for his apprehension in the first instance, according to the nature and circumstances of the case.

For the issuing of a summons the charge need not be put in writing or to be sworn to unless the Court so directs.

The person effecting service shall attend at the time and place mentioned in the summons to prove service.

Notwithstanding the issuing of a summons, a warrant may be issued at any time before or after the time appointed in the summons for the appearance of the accused.

A warrant shall not be issued, in the first instance, unless the charge is in writing on the oath of the person laying the charge, or of some witness.

If a person summoned does not obey the summons the Court may (after proof of the service of the summons) issue a warrant for his apprehension.

A warrant need not be made returnable at any particular time, but may remain in force until executed.

It may be executed by the apprehension of the accused at any place within the particular jurisdiction, and in case of fresh pursuit it may be executed at any place in another Consular district, without application to the Court for that district.

Search Warrant.

275. Where it is proved that in fact, or according to reasonable suspicion, any thing on, by, or in respect of which a crime or offence cognisable by the Court has been committed is in a house or place of a subject or protected person, the Court may, by warrant (called a search warrant), authorize an officer of the Court therein named to

search the house or place (which shall be named or described in the order), and if any thing searched for be found, to seize it, and apprehend the occupier of the house or place.

A general search warrant shall not be granted.

The officer named in the warrant shall alone execute it, but he may be accompanied by any persons necessary to assist him.

If the house or place is closed, and the officer is denied admission, after demanding admission and disclosing his authority and the object of his visit, it may be forced open.

Where there is suspicion only, the warrant shall so state, and then it shall be executed in the daytime; otherwise, it may be executed in the nighttime.

Sunday and Holydays.

276. A search warrant, or a warrant for apprehension or commitment, or other purpose, may be issued and executed on Sunday, Good Friday, or Christmas Day, where the urgency of the case so requires.

Expenses.

277. The Court may order a person convicted before it, by summary trial or on indictment, to pay all or any specified part of the expenses of his prosecution, or of his imprisonment or other punishment, or of both.

Where it appears to the Court that a charge is malicious, or frivolous and vexatious, the Court may order the prosecutor to pay all or any specified part of the expenses of the prosecution.

In these respective cases the Court may order that the whole or such portion as the Court thinks fit of the expenses so paid be paid over to the prosecutor or to the accused (as the case may be).

In all cases the reasons of the Court for making or refusing any such order shall be recorded in the minutes.

Damages for Assault.

278. The Court may, if it thinks fit, order a person convicted before it, by summary trial or on indictment, of an assault, to pay to the person assaulted by way of damages, a sum not exceeding 10/-.

Damages so ordered to be paid may be either in addition to or in lieu of a penalty, and shall be recoverable in like manner as a penalty.

6.—SUMMARY TRIAL.

279. The following provisions, under the head of Summary Trial, apply exclusively to cases where the charge is heard and determined by Summary Trial.

280. Where the accused comes before the Court on summons, or warrant, or otherwise, either originally or on adjournment, then, if the prosecutor, having had notice of the time and place appointed for the hearing or adjourned hearing of the charge, does not appear, the Court shall dismiss the charge unless for some reason, recorded in the minutes, it thinks fit to adjourn or further adjourn the hearing.

If both parties appear the Court shall proceed to hear and finally determine the charge.

281. The room or place in which the Court sits to hear and determine the charge is an open and public Court, and the public generally may have access thereto as far as it can conveniently contain them.

282. The substance of the charge shall be stated to the accused, and he shall be asked if he admits or denies the truth of the charge.

If he admits the truth of the charge, the Court may convict him thereof.

If he denies the truth of the charge, the Court shall proceed to hear the prosecutor and his witnesses and other evidence.

At the close of the prosecutor's evidence, if it appear to the Court that the case is made out against the accused sufficiently to require him to make a defence, the Court shall ask him if he wishes to say anything in answer to the charge, or has any witnesses to examine or other evidence to adduce in his defence; and the Court shall then hear the accused and his witnesses, and other evidence, if any.

283. The prosecutor shall be at liberty to conduct the charge, and to have witnesses examined and cross-examined by counsel or attorney on his behalf.

284. The accused shall be at liberty to make his full answer and defence to the charge, and to have witnesses examined and cross-examined by counsel or attorney on his behalf, and if he does not employ counsel or attorney, the Court shall, at the close of the examination of each witness for the prosecution, ask the accused whether he wishes to put any questions to that witness.

If he puts any question to a witness, that witness may be re-examined by or on behalf of the prosecutor.

285. If the accused adduces in his defence any evidence other than evidence to character, the prosecutor may, if the Court thinks fit, adduce evidence in reply.

But the prosecutor shall not in any case be allowed to make any observations by way of reply to the evidence adduced by the accused, nor shall the accused in any case be allowed to make any observations on evidence adduced by the prosecutor in reply.

286. A variance between the charge and the evidence adduced in support of it with respect to the time at which the alleged crime or offence was committed shall not be deemed material, if it is proved that the charge was in fact made within the time (if any) limited by law for the making thereof.

But if any variance between the charge and the evidence appears to the Court to be such that the accused has been thereby deceived or misled, the Court may adjourn the hearing.

287. At any time before or during the hearing of the charge the Court may, if it thinks fit, for reasons recorded in the minutes, adjourn the hearing.

An adjournment ordered for any cause shall be made to a certain time and place, appointed and stated at the time of adjournment in the presence and hearing of the parties or their respective counsel or attorneys.

During an adjournment the Court may, in its discretion, according to the nature and circumstances of each case, either suffer the accused to go at large or commit him by warrant to such prison or other place of security, or to such other safe custody, as the Court thinks fit, or may discharge him on his entering into a recognisance, with or without a surety or sureties, at the discretion of the Court, for his appearance at the time and place of adjournment.

If at any time and place of adjournment of a trial which has once begun, the accused does not appear, the Court may, if it thinks fit, proceed with the further hearing as if he was present.

288. The Court having heard what each party has to say as aforesaid, and the witnesses, and the evidence adduced, shall consider the whole matter

and finally determine the same, and shall either convict the accused or dismiss the charge.

In case of conviction, an order of conviction shall be drawn up in form and shall be preserved among the records of the Court.

In case of dismissal, the Court shall, on the application of the accused, make an order of dismissal, an office copy whereof shall, on being produced, without further proof, be a bar to any subsequent charge against him for the same matter.

289. Where the Court orders money to be paid by a person convicted, or by a prosecutor, for penalty, compensation, expenses, or otherwise, the money may be levied on the goods of the person ordered to pay the same, by distress and sale under warrant.

That person may pay or tender to the officer having the execution of the warrant the sum therein mentioned, with the amount of the expenses of the distress up to the time of payment or tender, and thereupon the officer shall cease to execute the same.

290. If the officer having the execution of the warrant returns that he could find no goods, or no sufficient goods, whereon to levy the money mentioned in the warrant, with expenses, the Court may by warrant commit the person ordered to pay to prison for a time specified in the warrant, unless the money, and all expenses of the distress, commitment, and conveyance to prison, to be specified in the warrant, are sooner paid.

Where it is proved that distress and sale of goods will be ruinous to the person ordered to pay the money and his family, or (by his confession or otherwise) that he has no goods whereon a distress may be levied, then the Court, if it thinks fit, may, instead of issuing a warrant of distress, commit him to prison, with or without hard labour, for a time specified in the warrant, unless the money, and all expenses of the commitment and conveyance to prison, to be specified in the warrant, are sooner paid.

The person committed may pay the sum mentioned in the warrant, with the amount of expenses therein mentioned (if any), to the person in whose custody he is, and that person shall thereupon discharge him, if he is in custody for no other matter.

The commitment, in case of a Provincial Court held before an un-commissioned Consular officer, shall not be for more than fourteen days, and in any other case shall not be for more than two months.

291. Where a conviction does not order the payment of money, but orders that the offender be imprisoned, the Court shall issue a warrant of commitment accordingly.

7.—TRIAL ON INDICTMENT.

292. The following provisions, under the head of Trial on Indictment, apply exclusively to cases where the charge is not heard and determined by summary trial.

293. Where the accused comes before the Court on summons or warrant, or otherwise, the Court shall, in his presence, take the statements on oath of those who know the facts and circumstances of the case, and put them in writing (called the depositions).

The accused may put questions to each witness produced against him, and the witness's answer thereto shall be part of his deposition.

The deposition of each witness shall be read over to the witness, and shall be signed by him.

294. No objection to a charge, summons, or warrant, for defect in substance or in form, or for variance between it and the evidence for the prosecution, shall be allowed; but if a variance appears to the Court to be such that the accused has been thereby deceived or misled, the Court may on his application adjourn the examination.

295. The Court may by warrant, from time to time, if it thinks fit, on account of the absence of witnesses or for any other reason (recorded in the minutes), remand the accused for a reasonable time, not exceeding eight days, to some prison or other place of security.

Or if the remand is for not more than three days the Court may, by word of mouth, order the officer or person in whose custody the accused is, or any other fit officer or person, to continue or keep the accused in the custody, and to bring him up at the time appointed for commencement or continuance of the examination.

During remand the Court may, nevertheless, order the accused to be brought before it.

Or the Court may admit the accused to bail on the remand.

296. At the close of the evidence for the prosecution, if the Court considers it not sufficient to put the accused on his trial, the Court shall forthwith order him, if in custody, to be discharged.

297. Otherwise the Court shall (without requiring the attendance of the witnesses) read over to the accused the depositions, and shall then say to him these words:—

Having heard the evidence, do you wish to say anything in answer to the charge? You need not say anything unless you wish. You have nothing to hope from any promise of favour, and nothing to fear from any threat, held out to you to induce you to make any admission or confession. Whatever you say will be written down and may be given in evidence against you.

Whatever the accused then says shall be written down, and shall be read over to him, and shall be kept with the depositions.

298. If the Court considers the evidence sufficient to put the accused on his trial, the Court shall order that he be tried on indictment, and shall until the trial either admit him to bail or send him to prison for safe keeping.

299. Where the charge is not of a crime which in England is capital, but is of a crime or offence above the degree of misdemeanour, and is to be tried before the Supreme Court, or the Court for Egypt, and the trial is to be had where a jury can be obtained, then the Court, on ordering that the accused be tried on indictment, shall ask him whether or not he wishes to be tried with a jury.

If he answers in the negative, then the trial shall be had without a jury, unless not less than forty-eight hours before the time appointed for the trial he files in the Court a notice in writing, stating his wish to be tried with a jury.

300. Where the accused is charged with—

Felony;

Assault with intent to commit felony;

Attempt to commit felony;

Obtaining or attempting to obtain property by false pretences;

Receiving stolen property or property obtained by false pretences;

Perjury, or subornation of perjury;

Concealing the birth of a child by secret burying or otherwise;
Indecent exposure of the person;
Riot;
Assault on a constable or officer of the Court in the execution of his duty, or on any person acting in his aid;
Neglect or breach of duty as a constable or officer of the Court;
the Court may, if it thinks fit, admit him to bail.

Where he is charged with an indictable misdemeanour, not before in this provision specified, the Court shall admit him to bail unless the Court sees good reason to the contrary (recorded in the minutes).

If he is charged with murder or treason he shall not be admitted to bail except by the Judge of the Supreme Court.

The Judge of the Supreme Court may, if he thinks fit, admit any person to bail, although the Court before which the charge is made has not thought fit to do so.

A person may be admitted to bail at any time after he has been ordered to be tried on indictment.

301. The accused who is to be admitted to bail, either on remand or on or after trial ordered, shall produce such surety or sureties as, in the opinion of the Court, will be sufficient to ensure his appearance as and when required, and shall with him or them enter into a recognisance accordingly.

302. The Court shall bind by recognisance the prosecutor and every witness to appear at the trial to prosecute, or to prosecute and give evidence, or to give evidence (as the case may be).

If a person refuses to enter into a recognisance the Court may send him to prison, there to remain until after the trial, unless in the meantime he enters into a recognisance.

But if afterwards, from want of sufficient evidence or other cause, the accused is discharged, the Court shall order that the person imprisoned for so refusing be also discharged.

303. The room or place in which the preliminary examination is held is not an open or public Court for that purpose, and the Court may, if it thinks that the ends of justice will be best answered by so doing, order that no person have access to, or be or remain in that room or place without the express permission of the Court.

304. A person who has been ordered to be tried on indictment shall be entitled to have a copy of the depositions, on payment of a reasonable sum not exceeding 6d. for every 100 words, or, if the Court thinks fit, without payment.

The Court shall, at the time of ordering the trial, inform him of the effect of this provision.

205. The written charge (if any), the depositions, the statement of the accused, the recognizances of prosecutor and witnesses, and the recognizances of bail (if any), shall be carefully transmitted in proper time to the Court before which the trial is to be held.

306. The Supreme Court shall, when required by the Secretary of State, send to him a report of the sentence of the Court in any case tried on indictment, with a copy of the minutes and notes of evidence and with any observations which the Court thinks fit to make.

The Court for Egypt and every Provincial Court shall forthwith send to the Supreme Court a report of the sentence of the Court in every case tried on indictment, with a copy of the minutes and notes of evidence and with any observations which the Court thinks fit to make. The Supreme Court

shall, when required by the Secretary of State, transmit the same to him, with any observations which the Court thinks fit to make.

8.—APPEAL ON LAW TO SUPREME COURT.

307. Where a person is convicted, either by summary trial or on indictment, before a Court other than the Supreme Court (in this provision referred to as the Court below):

(i) if he considers the conviction erroneous in law, then, on this application (unless it appears merely frivolous, when it may be refused): or,

(ii) if the Court below thinks fit to reserve for consideration of the Supreme Court any question of law arising on the trial; the Court below shall state a case, setting out the facts and the grounds of the conviction, and the question of law, and send it to the Supreme Court.

Thereupon the Court below shall, as it thinks fit, either postpone judgment, on the conviction, or respite execution of the judgment, and either commit the person convicted to prison, or take security for him to appear and receive judgment or to deliver himself for execution of the judgment (as the case may require) at an appointed time and place.

The Supreme Court shall hear and finally determine the matter, and thereupon shall reverse, affirm, or amend the judgment given, [or set it aside, and order an entry to be made in the minutes that in the judgment of the Supreme Court the person ought not to have been convicted,] or order judgment to be given at a subsequent sitting of the Court below,—or make such other order as the Supreme Court thinks just,—and shall also give all necessary and proper consequential directions.

The judgment of the Supreme Court shall be delivered in open Court, after the public hearing of any argument offered on behalf of the prosecution or of the person convicted.

Before delivering judgment, the Supreme Court may, if necessary, cause the case to be amended by the Court below.

9.—PUNISHMENT.

308. The Supreme Court may, if it thinks fit, by warrant under the hand of the Judge and the seal of the Court, cause an offender convicted before any Court and sentenced to imprisonment, to be sent to and imprisoned at any place in the Ottoman dominions, approved for that purpose by the Secretary of State.

The warrant shall be sufficient authority to any person to whom it is directed, to receive and detain the person therein named and to carry him to and deliver him up at the place named, according to the warrant.

309. When an offender convicted before any Court is sentenced to imprisonment and it appears to the Supreme Court, or, as regards Egypt, the Court for Egypt, expedient that the sentence be carried into effect within Her Majesty's dominions, the offender may (under The Foreign Jurisdiction Act, section 5), be sent for imprisonment as follows, namely,—with respect to native Indian subjects, to Bombay, and with respect to other persons, to Malta or Gibraltar.

The Supreme Court, or the Court for Egypt, may, by warrant under the hand of the Judge and the seal of the Court, cause the offender to be sent to Bombay or to Malta or Gibraltar (as the case

may require), in order that the sentence may be there carried into effect accordingly.

The warrant shall be sufficient authority to any person to whom it is directed to receive and detain the person therein named and to carry him to and deliver him up at the place named according to the warrant.

310. The Supreme Court may, if it thinks fit, report to the Secretary of State recommending a mitigation or remission of any punishment awarded by any Court; and thereupon the punishment may be mitigated or remitted.

But such a recommendation shall not be made with respect to a punishment awarded by a Court other than the Supreme Court, except on the recommendation of that other Court, or on the dissent of the Assessors or Assessor, if any, from the conviction or from the amount of punishment awarded.

10.—DEPORTATION OF OFFENDERS.

311. (i) Where it is proved that there is reasonable ground to apprehend that a subject or protected person is about to commit a breach of the public peace,—or that the acts or conduct of a subject or protected person are or is likely to produce or excite to a breach of the public peace,—the Court may, if it thinks fit (for reasons recorded in the minutes) cause him to be brought before it and require him to give security to the satisfaction of the Court, to keep the peace, or for his future good behaviour, as the case may require:

(ii) Where a subject or protected person is convicted of a crime or offence before the Court, or before a Court in the sentence of which one of Her Majesty's Consular officers concurs, the Court for the district in which he is may, if it thinks fit, require him to give security to the satisfaction of the Court for his future good behaviour, and for that purpose may (if need be) cause him to be brought before the Court:

In either of these cases, if the person required to give security fails to do so, the Court may order that he be deported from the Ottoman dominions to such place as the Court directs.

The Court shall not, however, without the consent of the person to be deported, direct the deportation of a native Indian subject to any place other than Bombay,—or of a native of Malta or of any of its dependencies to any place other than Malta,—or of a native of Gibraltar to any place other than Gibraltar,—or of a person not being a native Indian subject and being a native of any part of Her Majesty's dominions, other than Malta, its dependencies, or Gibraltar, to any place other than England.

A Court other than the Supreme Court or the Court for Egypt shall report to the Supreme Court any order of deportation made by it, and the grounds thereof, before the order is executed. The Supreme Court may reverse the order, or may confirm it with or without variation, and in case of confirmation, shall direct it to be carried into effect.

The person to be deported shall be detained in custody until a fit opportunity for his deportation occurs.

He shall, as soon as is practicable—and in the case of a person convicted, either after execution of the sentence, or while it is in course of execution,—be embarked in custody under the warrant of the Supreme Court, or, as regards Egypt, of the Court for Egypt, on board one of Her Majesty's vessels of war, or if there is no such vessel avail-

able, then on board any British or other fit vessel bound to the place of deportation.

The warrant shall be sufficient authority to the commander or master of the vessel to receive and detain the person therein named, and to carry him to and deliver him up at the place named, according to the warrant.

The Court may order the person to be deported to pay all or any part of the expenses of his deportation. Subject thereto, the expenses of deportation shall be defrayed as the expenses relating to distressed British subjects are defrayed, or in such other manner as the Secretary of State from time to time directs.

The Supreme Court and the Court for Egypt (as the case may be) shall forthwith report to the Secretary of State any order of deportation made or confirmed by it, and the grounds thereof; and shall also inform thereof Her Majesty's Ambassador, Minister, or Chargé d'Affaires at the Sublime Ottoman Porte.

If any person deported under this or any former order returns to the Ottoman dominions without permission in writing of the Secretary of State (which permission the Secretary of State may give) he shall be deemed guilty of an offence against this order, and shall for every such offence be liable to imprisonment for not more than one month, with or without hard labour, and with or without a fine of not more than 10*l.*, or to a fine of not more than 20*l.* alone: and he shall also be liable to be forthwith again deported, and shall not be again entitled to registration under this order.

And the Right Honourable the Earl Granville, and the Right Honourable the Earl of Kimberley, and the Most Noble the Duke of Argyll, three of Her Majesty's Principal Secretaries of State, and the Lords Commissioners of the Admiralty, are to give the necessary directions herein, as to them may respectively appertain.

Arthur Helps.

THE FIRST SCHEDULE.

Orders in Council and Rules repealed.

Order in Council; Windsor, 30th November, 1864—General Regulation of Jurisdiction.

Order in Council; Windsor, 10th November, 1866—Deputation; Egypt.

Order in Council; Windsor, 29th June, 1871—Deputation and References; Tunis.

Rules; 23rd January, 1863—General Regulation of Procedure.

Rules; 2nd December, 1870—Remuneration of Jurors.

THE SECOND SCHEDULE.

FQRMS.

I.—CIVIL.

1.

Issue for Decision on Question of Fact without Suit.

In Her Britannic Majesty's Consular Court at [Smyrna].

[Saturday] the [] day of

[], 18

Between A.B.

and

C.D.

This Court has ordered that the above-named A.B. of [gentleman] and the above-named C.D. of [merchant], may proceed to the trial of the questions of fact to be

determined between them without any petition presented or other pleading.

This Court, therefore, now further orders that the following questions be tried:—

1. Whether, &c.
2. Whether, &c.

The said *A.B.* maintaining the affirmative, and the said *C.D.* the negative, thereof respectively.

(Seal.)

2.

Summons on Bill of Exchange or Promissory Note.

In Her Britannic Majesty's Consular Court at [Smyrna].

[Thursday] the [] day of

[], 18 .

Between *A.B.* ... Plaintiff.

and

C.D. ... Defendant.

To *C.D.*, of [], the above-named Defendant.

You are hereby commanded, in Her Majesty's name, to attend this Court within seven days after service of this Summons on you, inclusive of the day of service, and obtain leave from this Court to defend this suit; otherwise *A.B.*, of the above-named Plaintiff, will be entitled, as of course, to an immediate absolute order against you.

(Seal.)

Indorsement on Summons.

The Plaintiff claims [] pounds sterling, principal and interest [or balance of principal and interest] due to him as the payee [or indorsee] of a bill of exchange or promissory note, of which the following is a copy:—

Here copy bill or note and all indorsements on it.

And if the amount thereof be paid to the Plaintiff within [] days from the service hereof, further proceedings will be stayed.

NOTICE.

If the Defendant does not, within seven days after having been served with this Summons, inclusive of the day of service, obtain leave from the Court to defend this suit, the Plaintiff will be entitled, as of course, at any time after the expiration of those seven days, to an immediate absolute order for any amount not exceeding the sum above claimed, and such sum as may be fixed by the Court for costs.

Leave to defend the suit may be obtained on application to the Court, supported by evidence on oath, showing that there is a defence to the suit on the merits, or that it is reasonable that the Defendant should be allowed to defend the suit; or on payment into Court of the sum hereon indorsed.

3

Summons on Claim under 20l.

In Her Britannic Majesty's Consular Court at [Smyrna].

[Saturday] the [] day of [

18 .]

Between *A.B.* ... Plaintiff,

and

C.D. ... Defendant.

[or

In the matter of *E.F.*, an infant].

To *C.D.*, of [], [gentleman] the above-named Defendant.

You are hereby commanded, in Her Majesty's name, to attend this Court at [] on [] the [] day of [] at [] o'clock in the [] noon on the hearing of a claim [or an application] on the part of *A.B.*, of [merchant] the above-named plaintiff [state the precise nature and particulars of the claim, and the amount sought to be recovered, or the precise object of the application, as the case may be.]

(Seal.)

The following Note is to be added to the original Summons and when the time is altered by indorsement, the indorsement is to be referred to as below:—

NOTE.—If you do not attend either in person or by counsel or attorney at the time and place above-mentioned [or at the place above-mentioned at the time mentioned in the indorsement hereon], such order will be made and such proceedings taken as the Court may think just and expedient.

4.

Petition.

In Her Britannic Majesty's Consular Court at [Smyrna].

Between *A.B.* ... Plaintiff,

and

C.D. and *E.F.* ... } Defendants.

To *X. Y.*, Esquire, Her Britannic Majesty's Consul at [Smyrna].

The Petition of *A.B.*, of [merchant], the above-named Plaintiff, shows as follows:—

1. [On the 1st day of June, 1859, the Defendant, &c.]

2. [On the next day the Plaintiff wrote and sent a letter to the Defendant, the material parts of which were as follows, &c.]

3.

4.

The Plaintiff therefore prays—

1. [That an account may be taken of what is due for principal and interest on, &c.]

2. [That the Defendant may be decreed to pay to the Plaintiff the amount which shall be so found due within one calendar month, &c.]

3. [That the Plaintiff may have such further or other relief as the nature of the case may require].

The Defendants to this Petition are—

C.D., of [merchant],

E.F., of [widow].

A.B.

[or

A.B., the Plaintiff,

by *L.M.*, his Attorney]

5.

Answer.

In Her Britannic Majesty's Consular Court at [Smyrna].

Between *A.B.* ... Plaintiff,

and

C.D. and *E.F.* ... } Defendants.

The answer of *C.D.*, one of the above-named Defendants, to the Petition of the above-named Plaintiff.

In answer to the petition I, C.D., say as follows:

1.
2.
3.

C.D.
[or] C.D., the Defendant.
by N.O., his Attorney.]

6.

Notice of Hearing.

In Her Britannic Majesty's Consular Court at [Smyrna].

[Saturday] the [] day of [], 18

Between A.B. ... Plaintiff,
and
C.D. and ... } Defendants.
E.F. }

To A.B., the above-named Plaintiff.

[or]

To C.D., one of the above-named Defendants]. This cause will be set down for hearing on the [] day of [], 18, and will come on to be heard in its turn on that day, if the business of the Court permits.

(Seal.)

7.

Motion-Paper.

In Her Britannic Majesty's Consular Court at [Smyrna].

Between A.B. ... Plaintiff,
and

C.D. ... Defendant.

The Plaintiff, [or as the case may be] moves that [here state the terms of the motion].

II.—PROBATE AND ADMINISTRATION.

8.

Affidavit of attesting Witness in proof of the due Execution of a Will or Codicil dated after 31st December, 1837.

In Her Britannic Majesty's Consular Court at [Smyrna].

In the matter of A.B., deceased.

I, C.D., of [] make oath and say that I am one of the subscribing witnesses to the last Will [or Codicil, as the case may be] of A.B., late of [] deceased, the said Will [or Codicil] being now hereto annexed, bearing date [] and that the testator executed the said Will [or Codicil] on the day of the date thereof, by signing his name at the foot or end thereof [or in the testimonium clause thereof, or in the attestation clause thereto, as the case may be], as the same now appears thereon (*) in the presence of me and of [] the other subscriber witness thereto, both of us being present at the same time, and we therupon attested and subscribed the said Will [or Codicil] in the presence of the testator.

Sworn at [] this [] day of [] 18 [] before me, C.D.

X.Y.

^{*} If the signature is in the testimonium clause or attestation clause, insert "intending the same for his final signature to his will."

9.

Oath for Executor.

In Her Britannic Majesty's Consular Court at [Smyrna].

In the matter of A.B. deceased.

I, C.D., of [] make oath and say that I believe the paper writing [or the paper writings] hereto annexed and marked by me (*) to contain the true and original last Will [or last Will with Codicils] of A.B., late

of [] deceased, and that I am the sole executor [or one of the executors] therein named [or executor according to the tenor thereof, executors during life, executrix during widowhood, or as the case may be], and that I will faithfully administer the personal property of the testator by paying his just debts and the legacies given by his Will [or Will and Codicils], so far as his personal property shall extend as the law bind me; that I will exhibit an inventory, and render an account of my executorship, whenever lawfully required; that the testator died at [] on the [] day of [] 18

: that at the time of his death he had his fixed place of abode at [] within the jurisdiction of this Court; and that the whole of his personal property does not amount in value to the sum of [] pounds, to the best of my knowledge, information, and belief.

C.D.

Sworn at [] this [] day of [] 18 [] before me, C.D.

E.F.

* Each testamentary paper is to be marked by the persons sworn and the person administering the oath.

Where more executors than one are appointed, and all are not sworn, a memorandum should be made in the margin of the oath that power is to be reserved to the other executors or executor, or that they have or he has renounced.

10.

Oath for Administrator with Will annexed.

In Her Britannic Majesty's Consular Court at [Smyrna].

In the matter of A.B., deceased.

I, C.D., of [] make oath and say that I believe the paper writing [or the paper writings] hereto annexed, and marked by me (*) to contain the true original last Will [or last Will with Codicils] of A.B., late of [] deceased; that the execu-

tor therein named is dead without having taken probate thereof [or as the case may be]; that I am the residuary legatee in trust named therein [or as the fact may be]; that I will faithfully administer the personal property of the testator, by paying his just debts and the legacies given by his Will [or Will and Codicils], so far as his personal property shall extend and the law bind me, and distributing the residue of his personal property according to law; that I will exhibit an inventory and render an account of my administration whenever lawfully required; that the testator died at [] on the []

18 [] ; that at the time of his death he had his fixed place of abode at [] within the jurisdiction of this Court, and that the whole of his personal property does not amount in value to the sum of [] pounds, to the best of my knowledge, information, and belief.

C.D.

Sworn at [] this [] day of [] 18 [] before me, C.D.

E.F.

* Each testamentary paper is to be marked by the persons sworn and the person administering the oath.

11.

Oath for Administrator (not with Will annexed).
In Her Britannic Majesty's Consular Court at [Smyrna].

In the name of *A.B.*, deceased.
I, *C.D.*, of , make oath and say that *A.B.*, late of , deceased, died intestate, a bachelor, without parent, brother, or sister, uncle or aunt, nephew or niece, and that I am his lawful cousin-german and one of his next of kin [*this must be altered in accordance with the circumstances of the case*] ; that I will faithfully administer the personal property of the deceased, by paying his just debts and distributing the residue of his property according to law ; that I will exhibit an inventory and render an account of my administration whenever lawfully required ; that the deceased died at on the day of 18 ; that at the time of his death he had his fixed place of abode at

within the jurisdiction of this Court ; and that the whole of his personal property does not amount in value to the sum of pounds, to the best of my knowledge, information, and belief.

C.D.

Sworn at this
day of
18 , before me, }
E.F. }

12.

Probate.

In Her Britannic Majesty's Consular Court at [Smyrna].

Be it known, that on the day of 18 , the last Will [or the last Will with Codicils] (a copy whereof is hereto annexed) of *A.B.*, late of , deceased, who died on at , and who at the time of his death had his fixed place of abode at within the jurisdiction of this Court, was proved and registered in this Court ; and that the administration of the personal property of the said deceased was granted by this Court to *C.D.*, the sole executor [or as the case may be] named in the said Will, he having been first duly sworn.

X.Y.

H. B. M. Consul at [Smyrna].

(Seal.)

13.

Letters of Administration with Will annexed.
In Her Britannic Majesty's Consular Court at [Smyrna].

Be it known, that *A.B.*, late of , deceased, who died on the day of , at , and who had at the time of his death his fixed place of abode at , within the jurisdiction of this Court, made and duly executed his last Will [or his last Will with Codicils thereto], and did therein name [according to the facts].

And be it further known, that on the day of , 18 ,

Letters of Administration with the said Will [and Codicils] annexed of the personal property of the deceased were

granted by this Court to *C.D.* [insert the character in which the grant is taken], he having been first duly sworn.

X.Y.

H. B. M. Consul at [Smyrna].

(Seal.)

14.

Letter of Administration (not with Will annexed).

In Her Britannic Majesty's Consular Court at [Smyrna].

Be it known, that on the day of , 18 , Letters of Administration of the personal property of *A.B.*, late of , deceased, who died on 18 , at , and who had at the time of his death his fixed place of abode at , within the jurisdiction of this Court, were granted by this Court to *C.D.*, of , the widow [or as the case may be] of the said intestate, she having been first duly sworn.

X.Y.

H. B. M. Consul at [Smyrna].

(Seal.)

15.

Double Probate.

In Her Britannic Majesty's Consular Court at [Smyrna].

Be it known, that on the day of , 18 , the last Will [with Codicils] of *A.B.*, late of , deceased, who died on at , and who at the time of his death had his fixed place of abode at , within the jurisdiction of this Court, was proved and registered in this Court, and that administration of his personal property, and any way concerning his Will, was granted by this Court to *C.D.*, one of the executors named in the said Will [or Codicil], he having been first duly sworn, power being reserved of making the like grant to *E.F.*, the other executor named in the said Will. And be it further known, that on the day of , 18 , the said Will of the said deceased was also proved in this Court, and that the like administration was granted by this Court to the said *E.F.*, he having been first duly sworn.

X.Y.

H. B. M. Consul at [Smyrna].

(Seal.)

Former grant, January 18 , under the same sum.

16.

Letters of Administration de Bonis non.

In Her Britannic Majesty's Consular Court at [Smyrna].

Be it known, that *A.B.*, late of , deceased, died on 18 , at , intestate, and had at the time of his death his fixed place of abode at , within the jurisdiction of this Court, and that since his death, namely, on the day of 18 , Letters of Administration of his personal property were granted by this Court to *C.D.*, [insert the

Sworn under £ and that the Intestate died on or about the day of 18

Sworn under £ and that the Testator died on or about the day of 18

Sworn under £ and that the Testator died on the day of

relationship or character of Administrator]
 (which Letters of Administration now remain on record in this Court) who after taking such Administration upon him partly administered the personal property of the deceased, and afterwards, namely, on , died, leaving part thereof unadministered, and that on the day of , 18 , Letters of Administration of the personal property so left unadministered were granted by this Court to , he having been first duly sworn.

X.Y.
 H. B. M. Consul at [Smyrna].
 (Seal.)

17.

Administration Bond.

Know all men by these presents, that we, A.B., of , C.D., of , and E.F., of , are jointly and severally bound unto G.H., the Judge of Her Britannic Majesty's Supreme Consular Court, for the dominions of the Sublime Ottoman Porte in the sum of pounds sterling, to be paid to the said G.H., or the Judge of the said Court for the time being, for which payment we bind ourselves and each of us, for the whole, our and each of our heirs, executors, and administrators, firmly by these presents. Sealed with our seals. Dated the 18 .

A.B. (L.S.)
 C.D. (L.S.)
 E.F. (L.S.)

The condition of the above-written obligation is such, that if the above-named A.B., the intended Administrator of the personal property of I.J., late of , deceased, who died on the day of , [left unadministered by] do make a true and perfect inventory of the personal property of the deceased [so left unadministered], which has or shall come into [his] possession, or into the possession of any person for [him], and the same so made do exhibit into Her Britannic Majesty's Supreme Consular Court or Her Britannic Majesty's Consular Court at [Smyrna], whenever required by law so to do; and the same personal property and all other the personal property of the deceased, which shall at any time after the making and exhibition of such inventory, come into the possession of the said A.B., or of any person for [him], do well and truly administer according to law; (that is to say) do pay the debts which the deceased owed at [his] death, and all the residue of the said personal property do deliver and pay to such person or persons as shall be entitled thereto under the Act of Parliament intituled *An Act for the better settling of Intestates' Estates*; and further, do make a true and just account of [his] administration whenever lawfully required; and in case it shall hereafter appear that any Will was made by the deceased, and the executor or executors therein named do exhibit the same for probate, then if the said A.B., being thereunto required, do duly render and deliver up the Letters of Administration granted to him, then this obligation shall be void, and otherwise shall remain in full force.

Signed, sealed, and delivered before this Court.

(Seal.)

18.
Administration Bond for Administrator with Will annexed.

Know all men by these presents, that we, A.B., of , C.D., of and E.F., of , are jointly and severally bound unto G.H., the Judge of Her Britannic Majesty's Supreme Consular Court for the dominions of the Sublime Ottoman Porte in the sum of pounds sterling, to be paid to the said G.H., or the Judge of the said Court for the time being, for which payment we bind ourselves and each of us, for the whole, our and each of our heirs, executors, and administrators, firmly by these presents. Sealed with our seals. Dated the day of , 18 .

A.B. (L.S.)
 C.D. (L.S.)
 E.F. (L.S.)

The condition of the above-written obligation is such that if the above-named A.B., the intended Administrator with Will annexed of the personal property of I.J., late of , deceased, who died on the day of , do make a true and perfect inventory of the personal property of the deceased [left unadministered by], which has or shall come into [his] possession, or into the possession of any person for [him], and the same so made do exhibit into Her Britannic Majesty's Supreme Consular Court or Her Britannic Majesty's Consular Court at [Smyrna], whenever required by law so to do, and the same personal property [so left unadministered] and all other the personal property of the deceased which shall at any time after the making and exhibition of such inventory come into the possession of the said A.B., or of any person for [him], do well and truly administer, (that is to say, do pay the debts which the deceased owed at [his] death, and then the legacies given by the said Will annexed to the said Letters of Administration, as far as such personal property will extend, and the law bind [him], and all the residue of the said personal property shall deliver and pay into such person or persons as shall be by law entitled thereto, and further, do make a true and just account of [his] said Administration whenever lawfully required, then this obligation shall be void, and otherwise shall remain in full force.

Signed, sealed, and delivered before this Court.
 (Seal.)

19.
Declaration of the Personal Property of a Testator or an Intestate.

In Her Britannic Majesty's Consular Court at [Smyrna].

A true declaration of all the personal property of A.B., late , deceased, who died on the day of , at and had at the time of his death his fixed place of abode at , within the jurisdiction of this Court, which have at any time since his death come to the possession or knowledge of C.D., the administrator with the Will annexed of the said A.B. [or administrator, as the case may be], made and exhibited upon and by virtue of the oath [or solemn affirmation] of the said C.D., as follows:—

First, I declare that the deceased £ s. d. was at the time of his death possessed of or entitled to ...

[The details of the deceased's property must be here inserted and the value inserted opposite to each particular.]

Lastly, I say that no personal property of the deceased has at any time since his death come to my possession or knowledge, save as is hereinbefore set forth.

C.D.

On the day of , 18 , the said C.D. was duly sworn to [or solemnly affirmed] the truth of the above-written inventory,

Before me,

[person authorized to administer oaths.]

20.

Justification of Sureties.

In Her Britannic Majesty's Consular Court at [Smyrna].

In the matter of A.B., deceased.

We, C.D., of , and E.F., of , severally make oath and say, that we are the proposed sureties in the penal sum of pounds, on behalf of G.H., the intended administrator of the personal property of A.B., late of , deceased, for his faithful administration thereof: and I, the said C.D. for myself, make oath and say, that I am, after payment of all my just debts, well and truly worth in money and effects the sum of ; and I the said E.F., for myself, make oath and say, that I am, after payment of all my just debts, well and truly worth in money and effects the sum of pounds.

Sworn by the deponents, C.D.

and E.F., at , C.D.

this day of 18 . E.F.

Before me,

X.Y.

21.

Renunciation of Probate and Administration with Will annexed.

In Her Britannic Majesty's Consular Court at [Smyrna].

In the matter of A.B., deceased.

Whereas A.B., late of , deceased, died on the day of , at , having at the time of his death his fixed place of abode at , within the jurisdiction of this Court; and whereas he made and duly executed his last Will, dated the day of , 18 , * and thereof appointed C.D. executor and residuary legatee in trust [or as the case may be]:

Now I, the said C.D., do hereby declare, that I have not intermeddled in the personal property of the deceased, and will not hereafter intermeddle therein, with intent to defraud creditors, or any person interested in the administration or distribution of the property of the deceased, and further do hereby expressly renounce all right to probate of the said Will [and Codicils, if any], and to administration with the said Will [and Codicils, if any] annexed, of the personal property of the deceased.

In witness whereof I have hereto set my hand and seal, this day of , 18 .

C.D. (L.S.)

Signed, sealed, and delivered by the above-named C.D. in the presence of G.H.

* If there are codicils, their dates should be also inserted.

22.

Renunciation of Administration.

In Her Britannic Majesty's Consular Court at [Smyrna].

Whereas A.B., late of , deceased, died on the day of , 18 , at , intestate, a widower, having had at the time of his death his fixed place of abode at , within the jurisdiction of this Court; and whereas I, C.D., of , am his lawful child, and his only next of kin [or as the case may be]:

Now I, the said C.D., do hereby declare that I have not intermeddled in the personal property of the deceased, and further do hereby expressly renounce all right to administration thereof.

In witness whereof I have hereto set my hand and seal, this day of 18 .

C.D. (L.S.)

Signed, sealed, and delivered by the said C.D., in the presence of G.H.

23.

Order to a Person to bring in a Paper purporting to be testamentary.

In Her Britannic Majesty's Consular Court at [Smyrna].

The day of , 18 .

To C.D., of

Whereas it appears by a certain affidavit filed in this Court on the day of 18 , and made by , of , that a certain original paper, being, or purporting to be testamentary, namely [here describe the paper], bearing date the day of 18 , is now in your possession or under your control:

Now this is to command you, in Her Majesty's name, that within eight days after service hereof on you, inclusive of the day of such service, you do bring into and leave in this Court the said original paper, or in case the said original paper be not in your possession or under your control, that you, within eight days after the service hereof on you, inclusive of the day of such service, do file in this Court an affidavit to that effect, and therein set forth what knowledge you have of and respecting the said paper.

(Seal.)

24.

Affidavit of Handwriting.

In Her Britannic Majesty's Consular Court at [Smyrna].

In the matter of C.D., deceased.

I, A.B., of , make oath and say, I knew and was well acquainted with C.D., late of , deceased, who died on the day of , at , for many years before and down to his death, and that during that time I have frequently seen him write and sign his name, whereby I have become well acquainted with his handwriting and signature, and having now with care and attention inspected the paper writing hereto annexed, purporting to be the last Will of the said C.D., beginning thus , ending thus , dated the day of , and

signed thus, C.D., I say that I believe [the whole body and contents of the said Will, together with]

the signature *C.D.* thereto, to be of the handwriting of the said *C.D.*, deceased.

Sworn at this day of 18, before me, *E.F.*

25.

Affidavit of Finding and Condition of Will.
In her Britannic Majesty's Consular Court at [Smyrna].

In the matter of *E.F.*, deceased.
I, *A.B.*, of , make oath and say that I am the sole executor named in the paper writing hereto annexed, purporting to be the last Will of *E.F.*, late of , deceased (who died on the day of , and had at his death his fixed place of abode at , within the jurisdiction of this Court), the said Will bearing date the day of , beginning thus , ending thus and being signed thus, *E.F.*, and that [here describe the finding of the Will, and the various obliterations, interlineations, erasures, and alterations (if any), and the general condition of the Will, and state any other matters requiring to be accounted for, and clearly trace the Will from the possession of the deceased in his lifetime up to the time of the making of his Affidavit]; and I lastly say that the same paper writing is now in all respects in the same condition as when found [or as the case may be].

Sworn at day of 18, before me, *I.J.*

26.

Affidavit of Search.
In Her Britannic Majesty's Consular Court at [Smyrna].

In the matter of *C.D.*, deceased.
I, *A.B.*, of , make oath and say that I am the sole executor named in the paper writing hereto annexed, purporting to be the last Will of *C.D.*, late of , deceased (who died on the day of , 18, at , and had at the time of his death his fixed place of abode at within the jurisdiction of this Court), the said Will beginning thus , ending thus,

, and being signed thus, *C.D.* And referring particularly to the fact that the blank spaces originally left in the said Will for the insertion of the day and the month of the date thereof have never been supplied [or that the said Will is without date, or as the case may be], I further say that I have made inquiry of *E.F.*, the Solicitor of the said deceased], and that I have also made diligent and careful search in all places where the said deceased usually kept his papers of moment, in order to ascertain whether he had or had not left any other Will, but that I have been unable to discover any other Will. And I lastly say that I believe the deceased died without having left any Will, Codicil, or Testamentary Paper whatever other than the said Will by me hereinbefore deposited to.

Sworn at day of 18, before me, *G.H.*

This form of affidavit is to be used when it is shown by affidavit that neither the subscribing witnesses nor any other person can depose to the precise time of the execution of the will.

A.B.

27.

Notice to Prohibit Grant of Probate or Administration.

In Her Britannic Majesty's Consular Court at [Smyrna].

In the matter of *A.B.*, deceased.
Let nothing be done in the matter of *A.B.*, late of , deceased, who died on the day of , at his death his fixed place of abode at , within the jurisdiction of this Court, without warning being given to *C.D.*, of , [or to *E.F.*, of the Attorney of *G.H.*, of

Dated this day of , 18.
(Signed) *C.D.*, of , [or *E.F.*, of the Attorney of *G.H.*, of].

28.

Warning to Person filing Notice to Prohibit Grant.

In Her Britannic Majesty's Consular Court at [Smyrna].

In the matter of *A.B.*, late of deceased.
To *C.D.*, of , [or to *E.F.*, of , Attorney of *G.H.*, of].

You are hereby warned, within six days after the service of this warning upon you, inclusive of the day of such service, to come to this Court, and to file therein an affidavit setting forth your [or your client's] interest in this matter; and in default of your so doing this Court will proceed to all such acts and things as shall be needful to be done in this matter.

NOTE.—This warning is issued at the instance of *R.S.*, of [here state what interest *R.S.* has, and if under a Will or Codicil, state its date.]

(Seal.)

29.

List of Probates and Administrations.

Her Britannic Majesty's Consular Court at [Smyrna].

The [1st] day of [August], 18[63].
List of Probates and Administrations granted by this Court up to the 1st day of July, 1863, and not included in any previous List.

Date of Grant.	Name in full of Deceased.	His or her Business, Profession, or other Description.	Place of his or her Death.	Name and Description of each Executor or Administrator taking Probate or Administration.	Value of the Personal Property.

(Signed)

X.Y.

H.B.M. Consul at [Smyrna].

(Seal.)

30.

Summons to Administrator or Executor for Summary Administration.

In Her Britannic Majesty's Consular Court at [Smyrna].
 [Saturday] the [] day of [], 18

In the matter of the property of *A. B.*, late of [] deceased.

Between *C.D.* Plaintiff and

E.F. Defendant.

To *E.F.*, of [] the above-named Defendant, Executor of the above-named *A.B.*

On the application of *C.D.*, of [] Esq., the above-named Plaintiff, who claims to be a creditor of the said *A.B.*:

You are hereby commanded, in Her Majesty's name, to attend this Court at [] on [] the [] day of [] at [] o'clock in the [] noon, and show cause, if you can, why an order for the administration of the property of the said *A.B.*, under the direction of this Court, should not be granted.

(Seal.)

The following note is to be added to the original Summons, and when the time is altered by indorsement, the indorsement is to be referred to as below:—

NOTE.—If you do not attend either in person or by counsel or attorney at the time and place above-mentioned [or at the place above-mentioned at the time mentioned in the indorsement hereon], such order will be made and such proceedings taken as the Court may think just and expedient.

III.—CRIMINAL.

31.*Information to ground Search Warrant.*

In Her Britannic Majesty's Consular Court at [Smyrna].
 [Thursday] the [] day of [] 18 .
C.D. of [] labourer, being first duly sworn, complains that on the [] day of [] the following goods and chattels of the value of [] namely:

[Here describe the goods and chattels.]
 were stolen and unlawfully carried away from and out of [] at [] by some person or persons unknown, and that he has reasonable cause to suspect, and does suspect, that those goods and chattels or some of them are concealed in [] for he, the said *C.D.*, on his oath, deposes and says that

Taken and sworn before me this [] day of [] 18 ,

at []

32.*Search Warrant for Stolen Goods.*

In Her Britannic Majesty's Court at [Smyrna].
 [Thursday] the [] day of [] 18 .
 To *X.Y.*, Police Officer, and other Officers of this Court.

C.D., of [] has this day made information on oath before this Court that [copy from information down to "for he"].

You are, therefore, hereby authorized and commanded, in Her Majesty's name, with proper assistance, to enter the [] of the said *A.B.*, and there diligently search for the said goods and chattels, and if the same, or any thereof, are found on search, to bring the goods and chattels so found, and also the said *A.B.*, before this Court, to be dealt with according to law.

(Seal.)

33.*Charge.*

In Her Britannic Majesty's Consular Court at [Smyrna].
 [Thursday], the [] day of [] 18 .
C.D., of [] labourer, [being first duly sworn] charges that [§c., state the offence].

(Seal.)

34.*Summons to Accused.*

In Her Britannic Majesty's Consular Court at [Smyrna].
 [Thursday], the [] day of [] 18 .
 To *A.B.*, of [] labourer.

You have this day been charged [on oath] before this Court for that you [§c., stating shortly the offence charged].

Therefore you are hereby commanded, in Her Majesty's name to appear before this Court on [Saturday next] the [] day of [] at [10 o'clock in the forenoon] at [] to answer to the said charge, and to be further dealt with according to law.

(Seal.)

35.*Warrant in first instance for apprehension of Accused.*

In Her Britannic Majesty's Consular Court at [Smyrna].
 [Thursday], the [] day of [] 18 .

To *X.Y.*, Police officer, and other Officers of this Court.

A.B., of [] labourer, has this day been charged [on oath] before this Court for that he [§c., stating shortly the offence charged].

Therefore you are hereby commanded, in Her Majesty's name, forthwith to apprehend the said *A.B.*, and to bring him before this Court to answer to the said charge, and to be further dealt with according to law.

(Seal.)

36.*Warrant for Apprehension of Accused where Summons is disobeyed.*

In Her Britannic Majesty's Consular Court at [Smyrna].
 [Thursday], the [] day of [] 18 .

To *X.Y.*, Police Officer, and other officers of this Court.

A.B., of [] labourer, was on the [] day of [] 18 , charged [on oath] before this Court for that [§c., as in Summons].

And the said *A.B.*, was, by summons of this Court, commanded to appear before this Court on [] at [] at [] to answer to the said charge, and to be further dealt with according to law.

And (as it has now been proved to this Court) he was duly served with the said summons. But he has not appeared according to the said Summons.

Therefore you are hereby commanded, in Her Majesty's name, forthwith to apprehend the said A.B., and to bring him before this Court to answer to the said charge, and to be further dealt with according to law.

(Seal.)

37.

Summons of a Witness.

In Her Britannic Majesty's Consular Court at [Smyrna].

Thursday, the day of 18 . To E.F., of [labourer].

A.B., of [labourer], has been charged before this Court for that [&c., as in the Summons or Warrant against the accused].

And it appears to this Court that you are likely to give material evidence concerning the said charge.

Therefore you are hereby commanded, in Her Majesty's name, to appear before this Court on [Saturday next] the [] day of [], 18 [], at [10 o'clock in the forenoon], at [], to testify what you shall know concerning the said charge.

(Seal.)

38.

Warrant where Witness has not obeyed Summons.

In Her Britannic Majesty's Consular Court at [Smyrna].

[Thursday], the day of 18 . To X.Y., Police Officer, and other Officers of this Court.

A.B., of [labourer], has been charged before this Court for that [&c., as in summons].

And it appearing to the said Court that E.F., of [labourer], is likely to give material evidence concerning the said charge, the said E.F., was, by Summons of this Court, commanded to appear before this Court on [] at [] at [], to testify what he should know concerning the said charge.

And (as it has now been proved to this Court) he was duly served with the said Summons.

But he has not appeared according to the said Summons, and has not excused his failure to do so to the satisfaction of this Court.

Therefore you are hereby commanded, in Her Majesty's name, to bring and have the said E.F. before this Court on [], at 10 o'clock in the forenoon] at [], to testify what he shall know concerning the said charge.

(Seal.)

39.

Warrant for Witness in first instance.

In Her Britannic Majesty's Consular Court at [Smyrna].

[Thursday], the day of 18 . To X.Y., Police Officer, and other Officers of this Court.

A.B., of [labourer], has been charged before this Court for that [&c., as in Summons].

And it appears to this Court that E.F., of [labourer], is likely to give material

evidence concerning the said charge, and that it is probable he will not attend to give evidence unless compelled to do so.

Therefore you are hereby commanded, in Her Majesty's name, to bring and have the said E.F. before this Court on [Saturday next] the day of , 18[] at [10 o'clock in the forenoon] at [] to testify what he shall know concerning the said charge.

(Seal.)

40.

Warrant for Commitment of Witness for refusing to be sworn or to give Evidence.

In Her Britannic Majesty's Consular Court at [Smyrna].

[Thursday], the day of , 18 . To X.Y., Police Officer of this Court, and to the Keeper of [Her Britannic Majesty's Consular] Prison at [].

A.B., of [labourer], has been charged before this Court for that [&c., as in Summons].

And E.F., of [labourer], now being before this Court to testify what he knows concerning the said charge in pursuance of a Summons [or Warrant] issued by this Court, and being required refuses to take an oath [or having taken an oath, refuses to answer a certain question now put to him concerning the said charge], and does not excuse his refusal to the satisfaction of this Court.

Therefore you are hereby commanded, in Her Majesty's name, you, the above-named X.Y., to take the said E.F., and convey him safely to the above-named prison, and there deliver him to the keeper thereof, together with this warrant.

And you, the keeper of the said prison, to receive the said E.F. into your custody in the said prison, and to keep him there safely for [seven] days, unless he in the meantime consents to answer duly on oath.

(Seal.)

41.

Warrant Committing the Accused for safe custody during an adjournment of the hearing, or where the hearing is not at once proceeded with, or remanding him.

In Her Britannic Majesty's Consular Court at [Smyrna].

[Thursday], the day of 18 . To X.Y., Police Officer of this Court, and to the keeper of [Her Britannic Majesty's Consular] prison at [].

A.B., of [labourer], has been charged before this Court for that [&c., as in summons].

* And the hearing of the said charge is adjourned [or cannot be at once proceeded with], and it is necessary that the said A.B. should in the meantime be kept in safe custody.*

Therefore you are hereby commanded, in Her Majesty's name, you, the above-named X.Y., forthwith to convey the said A.B. to the above-mentioned prison, and there deliver him to the keeper thereof, together with this warrant. And you, the keeper of the said prison, to receive the said A.B. into your custody in the said prison, and there safely keep him until the day of instant, and then to have him before this Court at [10 o'clock in the fore-

noon] of the same day at () to answer further to the said charge, and to be further dealt with according to law.

(Seal.)

[In cases for indictment substitute for the words between asterisks * * the following :—And it appears to this Court necessary to remand the said *A.B.*]

42.

Recognizance of Bail on adjournment of hearing, or where hearing is not at once proceeded with, or instead of remand on an adjournment of preliminary examination, or for surrender for trial.

In Her Britannic Majesty's Consular Court at [Smyrna].

[Thursday], the day of , 18 . We, *A.B.*, of [labourer], *L.M.*, of [grocer], and *N.O.*, of [butcher], come personally before this Court, and severally acknowledge ourselves to owe to our Sovereign Lady the Queen the several sums following, namely, the said *A.B.*, the sum of £ sterling, and the said *L.M.* and *N.O.* the sum of £ sterling each, to be levied on our several goods, if the said *A.B.* fails in the condition hereon indorsed.

A.B.
L.M.
N.O.
(Seal.)

Condition indorsed.

The condition of the within-written recognizance is as follows :—

The within-bounden *A.B.* has been charged before this Court for that [&c., as in summons].

If, therefore, the said *A.B.* appears* before this Court on [], at [o'clock], at [], to answer [further] to the said charge, and to be [further] dealt with according to law,* then the said recognizance shall be void, and otherwise shall remain in full force.

[Where the recognizance is for surrender for trial, substitute for the words between asterisks **, the following :—] before [], on [], at [o'clock], at [], and then and there surrender himself into the custody of the keeper of the [] prison there, and plead to such indictment as may be preferred against him for the offence aforesaid, and take his trial thereon, and not depart from the Court without leave.

43.

Notice of Recognizances to be given to Accused and each of his Sureties.

In Her Britannic Majesty's Consular Court at [Smyrna].

[Thursday], the day of , 18 . To *A.B.*, of [labourer], *L.M.*, of [grocer], and *N.O.*, of [butcher].

You, *A.B.*, are bound in the sum of £ sterling, and your sureties, *L.M.*, and *N.O.*, in the sum of £ sterling each, that you, *A.B.*, appear before* this Court on the day of , at [o'clock], at [], to answer [further] to the charge made against you by *C.D.*, and to be further dealt with according to law,* and unless you, *A.B.*, do so, the recognizance entered into by you, *A.B.*, *L.M.*, and

N.O., will be forthwith levied on your respective goods.

(Seal.)

[Where the recognizance is for surrender for trial, substitute for the words between asterisks **, words corresponding to the terms of the condition].

44.

Summary Conviction for a penalty to be levied by Distress, and in default of a sufficient Distress, Imprisonment; or for a Penalty, and in default of Payment, Imprisonment.

In Her Britannic Majesty's Consular Court at [Smyrna].

[Thursday], the day of , 18 . *A.B.*, of [labourer], is this day convicted before this Court for that [&c., state the offence and time and place when and where committed].

And this Court adjudges the said *A.B.* for his said offence to forfeit and pay the sum of £ sterling [state the penalty and also the compensation, if any], to be paid and applied according to [], and also to pay to the said *C.D.* the sum of £ sterling for his costs in this behalf.

And if the said sums be not paid forthwith [or on or before next], then * this Court orders that the same be levied by distress and sale of the goods of the said *A.B.*

And in default of sufficient distress,* this Court adjudges the said *A.B.*, to be imprisoned in [Her Britannic Majesty's Consular] Prison at [], [there to be kept to hard labour] for the space of [], unless the said sums and all costs and charges† of the said distress [and † of the commitment and conveyance of the said *A.B.* to the said prison] be sooner paid.

(Seal.)

[Where the issuing of a distress-warrant would be ruinous to the person convicted and his family, or it appears that he has no goods whereon a distress could be levied, then substitute for the words between the asterisks * * the following :—] inasmuch as it has now been made to appear to this Court that the issuing of a warrant of distress would be ruinous to the said *A.B.* and his family [or that the said *A.B.* has no goods whereon the said sums can be levied by distress].

Where the conviction is for a penalty, and in default of payment, imprisonment, omit the words between the asterisks * *, and also the words between the marks † †.]

45.

Warrant of Distress upon Conviction, as that last-mentioned, or where the Person convicted is to pay Costs but no Penalty.

In Her Britannic Majesty's Consular Court at [Smyrna].

[Thursday], the day of , 18 .

To *X.Y.*, Police Officer of this Court. *A.B.*, of [labourer], stands convicted before this Court by a conviction dated the day of , for that [&c., as in a conviction].

And it is in and by the said conviction adjudged that the said *A.B.*, should,* for his said offence, forfeit and pay [&c., as in conviction], and should also* pay to the said *C.D.* the sum of £ sterling for his costs in that behalf.

And that if the same should not be paid forthwith [or on or before the day of], the same should be levied by distress and sale of the goods of the said *A.B.*

And the said *A.B.*, although required to pay the same according to the said conviction, has not paid the same.

Therefore you are hereby commanded, in Her Majesty's name, that you forthwith make distress of the goods of the said *A.B.*, and if within the space of days next after the making of such distress, the said sums,† together with the reasonable charges of the making and keeping of the said distress be not paid, then that you sell the said goods by you distrained, and pay the money arising thereby into this Court, in order that it may be applied according to law, and that the overplus, if any, may be rendered on demand to the said *A.B.*, and that if no such distress can be found, then you certify the same to this Court in order that further proceedings may be had according to law.

(Seal.)

[Where the person convicted is to pay costs, but no penalty, omit the words between asterisks**, and for the word "sums" marked †, read "sum."]

46.

Warrant (on a Conviction for a Penalty) for Commitment of the Person convicted in the first instance without previous Warrant of Distress.

In Her Britannic Majesty's Consular Court at [Smyrna].

[Thursday], the day of , 18.

To *X.Y.*, Police Officer of this Court, and to the keeper of [] prison at [].

A.B., of [labourer], stands convicted before this Court by a conviction dated the day of , for that [§c., as in conviction].

And it is in and by the said conviction adjudged that the said *A.B.* should, for his said offence, forfeit and pay [§c., as in conviction], and should also pay to the said *C.D.* the sum of £ sterling for his costs in that behalf.

And that if the said sums should not be paid forthwith [or on or before the day of], the said *A.B.* should be imprisoned in the above-mentioned prison [and be there kept to hard labour], unless the same [and the costs and charges of the conveying of the said *A.B.* to the said prison] should be sooner paid.

And the said *A.B.*, being required to pay the said sums according to the said conviction has not done so.

Therefore you are hereby commanded, in Her Majesty's name, you, the above-named *X.Y.*, to take the said *A.B.* and convey him to the said prison and there deliver him to the keeper thereof, together with this warrant; and you, the said keeper of the said prison to receive the said *A.B.* into your custody in the said prison, and there to imprison him [and keep him to hard labour] for the space of [], unless the said several sums [and the costs and charges of the conveying of him to the said prison, amounting to the further sum of £] be sooner paid.

(Seal.)

47.

Officer's Return, if no sufficient Distress, to be indorsed on the Warrant.

In Her Britannic Majesty's Consular Court at [Smyrna].

[Thursday], the day of 18 .
I, X.Y., of [] Police Officer of this Court, do hereby certify to this Court that, by virtue of the within-written warrant, I have made diligent search for the goods of the within-named *A.B.*, and that I can find no sufficient goods of the said *A.B.*, whereon the sums within-mentioned can be levied.

X.Y.

48.

Warrant of Commitment for Want of Distress.

In Her Britannic Majesty's Consular Court at [Smyrna].

[Thursday], the day of 18 .
 To *X.Y.*, Police Officer of this Court, and to the keeper of [] prison at [].

[Proceed as in warrant of distress (Form 52) down to the commencement of the commanding part, and then thus :—]

And on the day of , 18 , this Court issued a warrant to you, the above-named *X.Y.*, commanding you to levy the said sum of £ , and £ , [or the said sum of £ for costs] by distress and sale of the goods of the said *A.B.*.

And it now appears to this Court, as well by the return of you, the said *X.Y.*, to the said warrant as otherwise, that you have made diligent search for the goods of the said *A.B.*, but that no sufficient distress whereon the said sums could be levied could be found.

Therefore you are hereby commanded in Her Majesty's name, you the said *X.Y.*, to take the said *A.B.*, and convey him safely to the above-mentioned prison, and there deliver him to the keeper thereof, together with this warrant, and you the said keeper of the said prison, to receive the said *A.B.* into your custody in the said prison, and there to imprison him [and keep him to hard labour] for the space of [] unless the said sums [or sum] and all the costs and charges of the said distress [and of the commitment and conveying to the said prison of the said *A.B.*] amounting to the further sum of £ be sooner paid.

(Seal.)

49.

Summary Conviction where the Punishment is Imprisonment and no Penalty.

In Her Britannic Majesty's Consular Court at [Smyrna].

[Thursday], the day of 18 .
A.B., of [labourer], is this day convicted before this Court for that [§c., state the offence and the time and place when and where committed].

And this Court adjudges the said *A.B.*, for his said offence to be imprisoned in [Her Majesty's Consular] prison at [] there to be kept to hard labour for the space of [].

And this Court also adjudges the said *A.B.* to pay to the said *C.D.* the sum of £ sterling for his costs in this behalf.

And if the same be not paid forthwith [or on or before next] then * this Court orders

that the same be levied by distress and sale of the goods of the said *A.B.*

And in default of sufficient distress * the Court adjudges the said *A.B.* to be imprisoned in the said prison [to be there kept to hard labour] for the space of [] to commence at and from the termination of his imprisonment aforesaid, unless the said sum for costs be sooner paid.

(Seal.)

[Where the issuing of a distress warrant would be ruinous to the person convicted and his family, or it appears that he has no goods whereon a distress could be levied, then substitute for the words between the asterisks ** the following :—]

Inasmuch as it has now been made to appear to this Court that the issuing of a warrant of distress in this behalf would be ruinous to the said *A.B.* and his family [or that the said *A.B.* has no goods whereon the said sum could be levied by distress.]

50.

Warrant of Commitment on a Conviction as that last mentioned.

In Her Britannic Majesty's Consular Court at [Smyrna].

[Thursday], the day of 18. To X. Y., Police Officer of this Court, and to the keeper of [] prison at [].

A.B., of [labourer], stands convicted before this Court by a conviction dated the day of , for that [&c., as in conviction].

And it is in and by the said conviction adjudged that the said *A.B.*, for his said offence, should be imprisoned in the [] prison at [], and there be kept to hard labour for the space of [].

Therefore you are hereby commanded, in Her Majesty's name, you, the above-named *X. Y.*, to take the said *A.B.*, and convey him to the said prison, and there deliver him to the keeper thereof, together with this warrant; and you, the said keeper of the said prison, to receive the said *A.B.* into your custody in the said prison, and there to imprison him [and keep him to hard labour] for the space of [].

(Seal.)

51.

Order of Dismissal of Charge.

In Her Britannic Majesty's Consular Court of [Smyrna].

[Thursday], the day of 18. *A.B.* of [] was on day of , charged before this Court for that [&c., as in summons or warrant].

And now both the said parties appear before this Court in order that it may hear and determine the said charge [or the said *A.B.* appears before this Court, but the said *C. D.*, although duly called, does not appear].

Whereupon, the matter of the said charge being by this Court duly considered,* it manifestly appears to this Court that the said charge is not proved, and* this Court dismisses the same.

And adjudges that the said *C. D.* do pay to the said *A. B.* the sum of £ sterling for his costs in this behalf, and if the same be not paid forthwith [or on or before] this

Court orders that the same be levied by distress and sale of the goods of the said *C. D.*, and in default of sufficient distress, this Court adjudges the said *C. D.* to be imprisoned in [].

prison at [], [and there be kept to hard labour], unless the same sum and all costs and charges of the said distress [and of the commitment and conveying to the said prison of the said *C. D.*] be sooner paid.

(Seal.)

[Where the person making the charge does not appear at the hearing the words between asterisks** may be omitted.]

52.

Certificate of Dismissal of Charge to be given to Accused.

In Her Britannic Majesty's Consular Court at [Smyrna].

[Thursday], the day of , 18. This is to certify that a charge made on the [] day of [], by *C.D.*, of [] [labourer], against *A.B.*, of [] [labourer], for that [&c., as in summons or warrant] is now considered by this Court, and is by this Court dismissed [with costs.]

(Seal.)

53.

Warrant of Distress for Costs to be paid by the Person making the Charge, on an Order for Dismissal of the Charge.

In Her Britannic Majesty's Consular Court at [Smyrna].

[Thursday], the day of , 18. To *X.Y.*, Police Officer of this Court.

A.B., of [] [labourer], was on the day of 18, charged before this Court for that [&c., as in summons or warrant].

And afterwards, namely, on the day of 18, both parties appeared before this Court in order that it should hear and determine the said charge [or the said *A.B.* appeared before this Court, but the said *C.D.*, although duly called, did not appear], and thereupon the matter of the said charge being duly considered by this Court,* and it manifestly appearing to this Court that the said charge was not proved,* this Court did dismiss the same, and adjudged that the said *C.D.* should pay to the said *A.B.* the sum of £ sterling, for his costs in that behalf, and that if the said sum should not be paid forthwith [or on or before] then the same should be levied by distress and sale of the goods of the said *C.D.*

And the said *C.D.*, although required to pay the same according to the said order, has not paid the same.

Therefore you are hereby commanded—

[Proceed as in the commanding part of the Form of warrant of distress upon conviction, where the person convicted is to pay costs but not penalty, only substituting the name of *C.D.*, the prosecutor, for the name of *A.B.*, the accused, and for the word "sums" at the mark † read "sum."]

(Seal.)

54.

Warrant of Commitment for Want of Distress in the last Case.

In Her Britannic Majesty's Consular Court at [Smyrna].

[Thursday], the day of 18. To *X.Y.*, Police Officer of this Court, and to the Keeper of [] prison at [].

[Proceed as in last Form down to the commencement of the commanding part, and then thus :—]

And on the day of 18, this Court issued a warrant to you, the above-named

THE THIRD SCHEDULE.
FEES.

	Service.	£	s.	d.
For service of summons, petition, motion-paper, notice, warrant, decree, order, or other document (except an answer) on a party, witness, juror, assessor, or other person under any branch whatever of the civil jurisdiction—				
Within one mile (English) of Court	0	2	6
Beyond, for every further complete mile	0	1	0

For service of an answer 0 1 0

Decision of Questions without formal Suit.

On summons for issue or special case	...	...	...	...	1 0 0
On issue or special case	...	...	...	...	0 10 0
On hearing	...	...	...	...	1 0 0

Summary Procedure for Administration of Property of Deceased Persons.

On summons	...	...	...	...	1 0 0
On order	...	...	...	...	1 0 0

Summary Orders before Suit.

On application for order	...	...	...	...	0 10 0
On recognizance	...	...	...	...	0 10 0
On order	...	...	...	...	0 5 0

Bankruptcy and Liquidation.

On declaration by a debtor of inability to pay his debts	...	...	...	...	0 5 0
On debtor's summons	...	...	...	...	0 5 0
On Bankruptcy petition	...	...	...	...	2 0 0
On petition for arrangement	...	...	...	...	1 0 0
On order for adjudication	...	...	...	...	1 0 0
On meeting or adjournment of meeting	...	...	...	...	1 0 0
On special resolution presented for registration	...	...	...	...	} $\frac{1}{4}$ per cent. on the gross amount of the assets not exceeding a total fee of 200L
On extraordinary resolution presented to a Registrar	...	...	...	...
On order of discharge	...	...	...	...	2 0 0
On notice to creditors, each	...	...	...	...	0 0 3
On preparing advertisement	...	...	...	...	0 5 0
On execution of warrant	...	...	...	...	1 0 0
On keeping possession, per diem	...	...	...	...	0 10 0
On inventory, per day	...	...	...	...	1 0 0

Maritime Cases.

On application for commission of survey	...	...	...	...	1 0 0
On appointment of commission	...	...	...	...	1 0 0

To each surveyor—

(a.) At Constantinople—

For a vessel in the port, extending from the second bridge (immediately below the arsenal) to Tophané on the one side, and Seraglio Point on the other

1 1 0

For a vessel in the upper harbour, extending from the second bridge upwards towards Haskioi; or between Tophané and Bujukdere

2 2 0

on the one side, and Kada Kioi and Beicos on the other

3 3 3

For a vessel between Bujukdere on the one side, and Beicos on the other, and the Black Sea entrance of the Bosphorus; or between the Seven Towers and Saint Stefano (inclusive), or Kadakioi and Prince's Island (inclusive)

Such sum as the Court directs.

For a vessel beyond these limits, when the time occupied exceeds one day

Maritime Cases—continued.

			£ s. d.
(b.) At a Provincial Consulate—			
For a vessel within two miles (English) of the Court	...	...	1 1 0
For a vessel beyond that distance	...	...	Such sum as the Court, with the approval of the Supreme Consular Court, directs
For extension of report of survey and copies	...	...	1 10 0
On petition for appointment of adjusters	...	...	1 0 0
To each adjuster	...	...	Such sum as the Court directs, not less than 1 <i>l.</i> , and not more than 20 <i>l.</i>
On extending average bond	...	...	The like.
To agent of owner of cargo	...	...	1 per cent. on value of cargo.

Probate and Administration.

On application for probate or administration	...	...	1 0 0
On oath of every executor, and administrator, and surety	...	...	0 10 0
On probate or letters of administration	...	...	The like sum as is for the time being payable in England for stamp duty in like cases, with 1 per cent. additional in case of appointment as administrator of an officer of the Court.
On filling account	...	...	0 10 0
On passing account	...	...	1 0 0

Ordinary Suits.

In every suit of any kind whatever, other than such as are before specified—

	On Summons or Petition.	On Hearing.
Where amount involved is—		
Under 10 <i>l.</i>	0 2 6	0 2 6
10 <i>l.</i> and under 20 <i>l.</i>	0 2 6	0 5 0
20 <i>l.</i> and under 50 <i>l.</i>	0 5 0	1 7 6
50 <i>l.</i> or upwards	1 per cent. on amount	1 per cent. on amount
Where judicial relief or assistance is sought, but not the recovery of money	1 0 0	1 0 0
On every summons, motion, application, or demand, taken out, made, or filed (not particularly charged)	...	0 5 0
On every decree or order (not particularly charged)	...	0 2 6
On motion for new trial after trial with a jury	...	1 0 0
On order for adjournment of hearing rendered necessary by default of either party (to be paid by that party)	...	0 7 6
On every warrant of execution against goods (Rule 120)—		
For less than 50 <i>l.</i>	...	0 5 0
For 50 <i>l.</i> or upwards	...	1 0 0
For keeping possession, per diem	...	0 10 0

Appeal to Supreme Consular Court.

	On petition or Motion.	On Hearing.
On appeal against adjudication of bankruptcy	5 0 0	2 0 0
On appeal against allowance, suspension, or refusal of order of discharge in bankruptcy	5 0 0	2 0 0
On appeal where judicial relief or assistance is sought, but not the recovery of money	2 0 0	2 0 0
On any appeal other than such as are before specified	1 ½ per cent. on amount involved.	2 per cent. on amount involved.

Appeal to Her Majesty in Council.

				£ s. d.
On motion for leave to appeal...	...	...	...	2 0 0
On every security	...	...	...	2 0 0
On order for leave to appeal	...	...	...	5 0 0
On record of appeal (including expense of transmission)	...			Such sum as the Court directs.

Miscellaneous.

On deposit of money	...	...	...	2½ per cent. on amount.
On deposit or registration of bill of sale, will, deed of partnership, or other document	...	...	...	1 0 0
On notice of bill of sale filed	...	...	...	1 0 0
For taking inventory, per diem	...	...	...	1 0 0
For protest of a bill of exchange, and copy	...	...	...	1 0 0
For noting same	...	...	...	1 0 0
For taking an affidavit	...	...	...	0 5 0
For drawing a will	...	...	...	0 5 0
For certifying signature or seal	...	...	...	Such sum as the Court directs.
For attendance at a sale—				0 2 0
Where the purchase-money is under 100L	...	...	...	1 10 0
Where 100L. or upwards	...	...	...	2 per cent. on amount.
On a reference to the archives	...	...	...	0 2 6
For certified copy of document in the archives—				
For first 100 words	...	...	...	0 2 6
For every further 100 words	...	...	...	0 1 0
For preparing contracts between travellers and Dragomans or other persons	...	...	...	0 10 0
For certified copy of such documents—				
For first 100 words	...	...	...	0 2 6
For every further 100 words	...	...	...	0 1 0
For an official certified translation of any document—				
For first 200 words	...	...	...	0 10 0
For every further 200 words	...	...	...	0 5 0
For communication between two Consular Courts	...	...	...	0 10 0
For communication in writing to a foreign Consulate, or through Dragoman, to local Ottoman Authority...	...	...	...	0 10 0
For application for Vizirial letter	...	...	...	0 10 0
For despatch to accompany same	...	...	...	0 10 0
For attendance of Dragoman or other Consular officer at Ottoman office or tribunal—				
Where amount involved is—				
Under 250L.	...	...	...	0 10 0
250L. and under 500L.	...	...	...	1 0 0
500L. and under 1,000L.	...	...	...	2 0 0
1,000L. and upwards	...	...	...	½ per cent.

Criminal Matters.

On every summons or warrant, unless specially directed by the Court to be issued				0 2 0
On hearing in summary case ...	...	...	...	0 2 6
On warrant of commitment	...	...	...	0 1 6
On recognisance ...	...	...	...	0 1 0
For service of notice on each juror or assessor	...	...	...	0 1 0
On trial with a jury	...	...	...	0 2 6
On record of sentence on a trial with a jury	...	...	...	0 10 0
				0 10 0

The 10th February 1874.

No. 379P.—Subject to the confirmation of Her Majesty's Government, His Excellency the Viceroy and Governor General in Council is pleased to recognize the appointment of Mr. Walter Rudston Brown, as Acting Consul for Denmark at Calcutta, during the temporary absence of Mr. H. F. Brown.

The 13th February 1874.

No. 415P.—In recognition of the services rendered by him to Government, His Excellency the Viceroy and Governor General in Council is pleased to confer upon Mirza Fakir-ulla Khan, Honorary Magistrate in the District of Gujranwala, Punjab, the title of "Khan Bahadoor," as a Personal distinction.

No. 420P.—Subject to the confirmation of Her Majesty's Government, His Excellency the Viceroy and Governor General in Council is pleased to recognize the appointment of Mr. Richard Macalister as Vice-Consul General for the United States of America at Calcutta.

No. 423P.—With reference to Notification No. 2410P of the 9th October last, His Excellency the Viceroy and Governor General in Council is pleased to recognize the appointment of Mr. H. Barekhausen as Consul for Sweden and Norway at Rangoon. The recognition is confirmed by Her Majesty's Government.

GENERAL.

The 7th February 1874.

No. 290 G.—APPOINTMENT.—Captain P. W. Powlett, Political Agent of the 2nd Class, at present employed as Settlement Officer at Ulwur, is posted to the Political Agency at Ulwur, during the absence on furlough of Captain T. Cadell, V.C.

No. 291 G.—APPOINTMENT.—Captain H. B. Abbott, Political Assistant of the 3rd Class, to officiate as Settlement Officer at Ulwur, *vice* Captain Powlett.

No. 293 G.—LEAVE.—Lieutenant Colonel A. R. E. Hutchinson, Officiating Political Agent at Meywar, is granted 30 days' subsidiary leave of absence preparatory to proceeding on furlough to Europe.

No. 294 G.—APPOINTMENT.—Major E. R. C. Bradford, Political Agent of the 2nd Class, is appointed to officiate as Resident of the 3rd Class, and is posted to Meywar as Political Agent, during the absence of Lieutenant Colonel Hutchinson, or until further orders.

The 13th February 1874.

No. 338 G.—APPOINTMENTS.—Lieutenant Colonel E. C. Ross, Political Agent of the 2nd Class, and Officiating Political Resident in the Persian Gulf, is confirmed in his appointment and graded as a Resident of the 2nd Class from the date on which Colonel Pelly was confirmed as Agent to the Governor General in Rajpootana.

From the same date Colonel J. A. Wright, Political Agent of the 3rd Class, to be Political Agent of the 2nd Class, *vice* Lieutenant Colonel E. C. Ross.

From the same date Captain C. Grant, Supernumerary Political Agent of the 3rd Class, to be Political Agent of the 3rd Class.

No. 341 G.—Leave.—Lieutenant Colonel Mowbray Thomson, Agent to the Governor General with the King of Oudh, and Superintendent of Political Pensions, is granted privilege leave of absence for three months from the 1st May next, or from the date on which he may avail himself of the same.

C. U. AITCHISON,
Secy. to the Govt. of India.

FINANCIAL DEPARTMENT.

NOTIFICATIONS.—ACCOUNTS.

Fort William, the 13th February 1874.

No. 1067.—Read the following despatch from the Right Hon'ble the Secretary of State for India, No. 11, dated the 7th January 1874:—

FINANCIAL.

INDIA OFFICE, LONDON,

No. 11.

The 7th January 1874.

To His Excellency the Right Hon'ble the Governor General of India in Council.

My LORD,—I have to acquaint you that the rate of exchange for the adjustment of financial transactions between the Imperial and Indian Governments for the year 1874-75, has been fixed, with the concurrence of the Lords Commissioners of the Treasury, at one shilling and ten pence (1s. 10d.) the rupee; and I have to request that you will give the necessary instructions for the due observance of

this rate, in respect of all transactions to which it is applicable.

I have, &c.,
(Sd.) ARGYLL.

Ordered, that the above be published in the *Gazette of India* for general information.

LEAVE AND ALLOWANCES.

The 10th February 1874.

No. 1049.—The Secretary of State for India has sanctioned the following rules for the grant of leave and acting allowance to Bishops in India. They do not apply to the present Bishop of Calcutta:—

1. The following rules regulate the grant of leave to bishops.
2. A bishop may be allowed leave of absence either on medical certificate or on furlough.
3. The amount of leave of absence on medical certificate admissible to a bishop is limited to two years.
4. Subject to the limitation in Rule 3, leave of absence may be granted to a bishop upon medical certificate for a period not exceeding one year. Leave so granted may be extended upon medical certificate to any period not exceeding eighteen calendar months.
5. The amount of furlough admissible to a bishop at one time is limited to six calendar months.
6. The amount of furlough earned by a bishop is one-eleventh of the time during which he has been on duty without interruption, provided that no additional furlough can be earned by duty done while six months' furlough is due, and that, when duty is interrupted, all furlough earned theretofore is cancelled.

The furlough due to a bishop is the furlough which he has earned, less the period during which he has been absent on furlough. Absence on furlough, though not counting as duty, is not an interruption of duty within the meaning of this section.

7. To a bishop who has been on duty without interruption for thirty-three calendar months, and who has not for twelve calendar months been absent on furlough, the whole or any part of the furlough due to him may be granted.
8. An archdeacon or a chaplain appointed to hold charge of a diocese during the absence of the bishop, is entitled to an allowance of Rs 500 a month in addition to the pay of his substantive office.
9. A bishop while absent upon furlough or upon leave on medical certificate is entitled to full pay less Rs. 500 a month, but not to any other allowances.
10. An archdeacon or a chaplain appointed to hold charge of a diocese during the absence of the bishop upon leave on medical certificate, is entitled to the travelling and other similar allowances admissible to the bishop.
11. The allowances of the Bishop of Madras or Bombay when performing the functions of the Bishop of Calcutta during his absence on leave, are regulated by 5 & 6 Vic., Cap. 119. In such case the Bishop of Madras or Bombay is entitled to an allowance at the rate of Rs. 833 $\frac{1}{3}$ a month, in addition to his salary as Bishop of Madras or Bombay.

and the Bishop of Calcutta will receive during such absence the salary of his office less Rs. 833½ a month.

12. Leave under these rules may be granted, to the Metropolitan, by the Governor General in Council, and to the Bishops of Madras and Bombay, by the Governments of those presidencies on the recommendation of the Metropolitan.

2. The Governor General in Council is accordingly pleased to direct that the bracketed note at the head of Supplement D to the Civil Leave Code be cancelled.

Ordered, that a copy of the above notification and of the papers mentioned below be forwarded to the Home Department, in reply to the office memorandum from that department, No. 226, dated the 9th July 1872:—

Financial despatch to Secretary of State for India, No. 237, dated the 16th June 1873, and enclosure.

Telegram from the Secretary of State to the Viceroy, dated the 2nd instant.

PENSIONS AND GRATUITIES.

The 13th February 1874.

No. 1098.—The Governor General in Council directs that the words “and the leave and other rules in force for Uncovenanted Servants generally” be substituted for the words “and the leave rules which were promulgated with them on the 8th June 1863,” in Section 4 (b) of the Civil Pension Code.

SEPARATE REVENUE—POST OFFICE.

The 11th February 1874.

No. 1096.—Mr. A. Macaulay Markham, C. S., is appointed to officiate as Post Master General, North-Western Provinces, during the absence on leave of Mr. C. W. Hutchinson, or until further orders.

SEPARATE REVENUE.—STAMPS.

The 12th February 1874.

No. 1070.—In exercise of the power conferred by Section 35 of the Court Fees Act 1870, the Governor General of India in Council is pleased to declare that the proper fee to be paid upon the deposit in any Court in the territories under the Government of the Lieutenant Governor of Bengal of rent not exceeding the sum of fifteen rupees, shall be as follows:—

Proper Fee.

If the amount deposited does not exceed Rs. 2-8 ...	... One anna.
If the amount deposited exceeds Rs. 2-8 but does not exceed Rs. 5 ...	... Two annas.
If the amount deposited exceeds Rs. 5 but does not exceed Rs. 10 ...	... Four annas.
If the amount exceeds Rs. 10 but does not exceed Rs. 15 ...	... Six annas.

The 13th February 1874.

No. 1101.—In exercise of the power conferred by Section 16 of the General Stamp Act, the Governor General in Council is pleased to remit the duty chargeable on the following receipts:—

(a) Receipts for pay given by non-commissioned officers or soldiers of Her Majesty's

Army or Her Majesty's Indian Army not being in civil employ.

(b) Receipts for pensions or allowances given by persons receiving pensions or allowances in respect of their services as such non-commissioned officers or soldiers and not being in civil employ.

(c) Receipts given by holders of family certificates in cases where the person from whose pay or allowances the sum comprised in the receipt has been assigned is a non-commissioned officer or soldier of either of the said Armies, and is not in civil employ.

R. B. CHAPMAN,
Secy. to the Govt. of India.

MILITARY DEPARTMENT.

Fort William, the 7th February 1874.

No. 120 of 1874.—The under-mentioned Officer is permitted to proceed to Europe on furlough on private affairs:—

Surgeon Major Benjamin Simpson, M. D., of the Medical Department,—for nine months, under the Regulations of 1868.

The 9th February 1874.

No. 121 of 1874.—The services of Surgeon F. P. Edis, M. B., of the Medical Department, are placed temporarily at the disposal of the Foreign Department.

No. 122 of 1874.—Third Class Hospital Assistant Shaikh Mohammed Hossain passed his English qualification examination according to the test laid down in G. G. O. No. 945 of the 7th October 1868, on the 14th January 1874.

No. 123 of 1874.—The under-mentioned Officers are permitted to proceed to Europe on furlough on private affairs:—

Lieutenant Colonel (Brevet Colonel) Henry Hopkinson, of the Bengal Staff Corps, Commissioner of Assam and Governor General's Agent on the North-Eastern Frontier,—for two years, under the Regulations of 1868.

Lieutenant Colonel Patrick Maxwell, of the Bengal Staff Corps, Deputy Commissioner, 1st Class, Punjab,—for two years, under the Regulations of 1868.

Major John Mackie Stewart, of the late 35th Regiment of Native Infantry, Wing Officer, 21st (Punjab) Regiment of Native Infantry,—for two years, under the Regulations of 1868.

The 10th February 1874.

No. 124 of 1874.—The following temporary promotions are made in the Commissioned Grades of the Army Commissariat Department:—

Colonel S. Chalmers, Deputy Assistant Commissary General, 1st Class, and Acting Assistant Commissary General, 2nd Class, to act as Assistant Commissary General, 1st Class.

Major J. V. Hunt, Deputy Assistant Commissary General, 2nd Class, and Acting Deputy Assistant Commissary General, 1st Class, to act as Assistant Commissary General, 2nd Class.

From 18th January 1874, during the absence, on special duty, of Lieutenant Colonel A. McKenzie, Acting Assistant Commissary General, 1st Class, or until further orders.

Captain W. G. Smith, Sub-Assistant Commissary General, 1st Class, and Acting Deputy Assistant Commissary General, 2nd Class, to act as Deputy Assistant Commissary General, 1st Class.

Captain H. Rowband, Sub-Assistant Commissary General, 2nd Class, and Acting Sub-Assistant Commissary General, 1st Class, to act as Deputy Assistant Commissary General, 2nd Class.

Major A. W. Montagu, Sub-Assistant Commissary General, 1st Class, and Acting Deputy Assistant Commissary General, 2nd Class, to act as Deputy Assistant Commissary General, 1st Class.

Captain F. H. Thomas, Sub-Assistant Commissary General, 2nd Class, and Acting Sub-Assistant Commissary General, 1st Class, to act as Deputy Assistant Commissary General, 2nd Class.

No. 125 of 1874.—His Excellency the Governor General in Council is pleased to make the following appointment:—

Army Commissariat Department.

Captain H. W. J. Senior, of the Bengal Staff Corps, 2nd Wing Subaltern, 34th (The Futtehghurh) Regiment of Native Infantry, to officiate in the Commissariat Department as a temporary arrangement, and until further orders.

No. 126 of 1874.—Under the authority of the Right Hon'ble the Secretary of State for India it is hereby notified that the Grade of Assistant Surgeon having been abolished in the Indian Medical Service by the Royal Warrant published in G. G. O. No. 673 of the 1st July 1873, a corresponding change will be made in regard to Officers of the Subordinate Medical Department holding honorary rank as noted below:—

Honorary Assistant Surgeons will be styled Honorary Surgeons, and

Honorary Surgeons will be styled Honorary Surgeons Major.

The 11th February 1874.

No. 127 of 1874.—The following extract from list No. 2, dated the 16th January 1874, of Military Officers of the Bengal Establishment, permitted to return to duty, granted extensions of leave, &c., received from the India Office, is published for general information:—

Permitted to return.

Lieutenant Colonel C. T. Stewart, R. E.
Lieutenant Colonel J. C. Wood.
Lieutenant Colonel C. F. Browne.
Lieutenant Colonel J. Keer.
Major D. J. Welsh, Royal Artillery.
Major C. F. Sharpe.
Captain H. M. Ramsay.
Captain W. Battye.
Sub-Conductor A. McDonald.

From 18th January 1874, during the absence, on special duty, of Lieutenant Colonel A. McKenzie, Acting Assistant Commissary General, 1st Class, or until further orders.

From 20th January 1874, during the absence of Captain J. B. Smith, Acting Deputy Assistant Commissary General, 1st Class, on special duty, or until further orders.

Granted Extensions of Leave.
Lieutenant Colonel H. B. Chalmers, six months, sick certificate.
Surgeon Major J. C. Annesley, six months, sick certificate.

Retirement.

Captain E. Wells, 22nd January 1874.
No. 128 of 1874.—Supernumerary Surgeon Major Thomas Edwin Burton Brown, M. D., of the Medical Department, is brought on the establishment of Surgeons Major to fill an existing vacancy.

The 12th February 1874.

No. 129 of 1874.—The under-mentioned Officers are permitted to proceed to Europe on furlough on private affairs:—

Captain Colin Campbell Scott Moncrieff, of the Royal Engineers, Assistant Engineer, 1st grade, Department Public Works, Officiating Superintending Engineer, 1st Circle, Irrigation Works, North-Western Provinces, for sixteen months, under the Regulations of 1868. Captain William Hope Meiklejohn, of the General List Infantry, Quarter Master, 20th (Punjab) Regiment of Native Infantry, for two years, under the Regulations of 1868.

No. 130 of 1874.—*Erratum.*—In G. G. O. No. 83 of 1874, for “18th (The Alipore) Regiment of Native Infantry,” read “18th Bengal Cavalry”.

Order Books to be corrected accordingly.

No. 131 of 1874.—With reference to G. G. O. No. 1290 of 1873, the services of Captain G. W. Willock of the General List, Infantry, are to be considered as temporarily placed at the disposal of the Foreign Department, with effect from the 1st August 1873, instead of the date previously notified.

No. 132 of 1874.—The under-mentioned Warrant Officer is allowed furlough to Europe on medical certificate:—

Deputy Assistant Commissary John Roberts, 2nd Grade Sub-Engineer, Department Public Works, for two years, under the provisions of G. G. O. No. 207 of 1869 and 888 of 1872.

No. 133 of 1874.—Native medical pupil Taffazul Hossein, No. 459, attached to the Calcutta Medical College, who was admitted by G. G. O. No. 819, dated the 8th August 1872, is struck off the list of Native medical pupils.

No. 134 of 1874.—The under-mentioned out-pensioners of the Royal Hospital at Chelsea having been permitted to reside and draw their stipends in India, payment of pension is to be made and charged accordingly:—

Corporal James Daniher, late of the 1st Battalion, 5th Foot; rate of pension per diem, 1s. (one shilling) from the date he ceases to receive regimental pay or allowance.

Sergeant James Allen, late of the 1st Battalion, 3rd Foot; rate of pension per diem, 2s. (two shillings) from the date he ceases to receive regimental pay or allowance.

Sergeant Major Henry Newson, late of the 23rd Brigade, Royal Artillery; rate of pension per diem, 2s. 6d. (two shillings and six pence) from the date he ceases to receive regimental pay or allowance.

No. 135 of 1874.—The Right Hon'ble the Governor General in Council is pleased to sanction

the following scales of clothing and compensation for the Non-Commissioned Staff of Depôts in the plains and of hill sanitaria :—

NON-COMMISSIONED STAFF OF DEPÔTS IN THE PLAINS.

1st year, 1874-75, &c.

- A cloth tunic.
- A pair of cloth trowsers.
- A wicker helmet.
- A forage cap.
- 2 pairs of ankle boots.
- A sash to last four years.

2nd year, 1875-76, &c.

- A blue serge frock.
- A pair of blue serge trowsers.
- 2 pairs of ankle boots.
- I.—Compensation for difference in value between serge frock and tunic.
- II.—For a pair of cloth trowsers.

NON-COMMISSIONED STAFF OF HILL SANITARIA.

1st year, 1874-75, &c.

- A tunic.
- A pair of cloth trowsers.
- 2 pairs of boots.
- A wicker helmet (or compensation in lieu.)

2nd year, 1875-76, &c.

- A serge frock.
- A pair of cloth trowsers.
- 2 pairs of boots.
- I.—Compensation for difference in value between tunic and serge frock.
- II.—For a pair of serge trowsers.

The 13th February 1874.

No. 136 of 1874.—The under-mentioned Officer of the Staff Corps having completed five years' service as substantive Lieutenant Colonel, is promoted to the rank of Colonel by Brevet, from the

date specified, under the operation of the Royal Warrant, dated 16th January 1861, Clause 2, subject to Her Majesty's approval :—

Lieutenant Colonel Alexander Gregor Forsyth, Bengal Staff Corps,—7th February 1874.

No. 137 of 1874.—The under-mentioned Officer is promoted to the rank of Colonel by Brevet, from the date specified, under the operation of Clause 8 of the Royal Warrant of the 31st January 1859, subject to Her Majesty's approval :—

Lieutenant Colonel Cornwallis Oswald Maude,—Bombay Staff Corps,—15th August 1873.

No. 138 of 1874.—*Erratum.*—In G. G. O. No. 1282 of 1873, promoting certain Native Officers of the 9th Regiment of Native Infantry, for "from the 9th December 1873," read "from the 9th October 1873."

Order books to be corrected accordingly.

No. 139 of 1874.—The following paragraph of a Military letter from the Right Hon'ble the Secretary of State for India; No. 279, dated the 23rd December 1873, is published for general information :—

Para. 7.—Colonel C. J. Hodgson, Royal Engineers, late Bengal, has been allowed to remain in England under the terms of paragraphs 29 and 39 of G. O. No. 332 of 1861, *i. e.*, as a Colonel of Engineers whose services are not required in India.

No. 140 of 1874.—With reference to G. G. O. No. 668 of 1870, it is hereby notified that medical charges in Rajpootana will submit their indents for medical stores on the 1st January of each year instead of on the dates specified in the above order.

H. K. BURNE, Colonel,
Secretary to the Govt. of India.



The Gazette of India.

Published by Authority.

CALCUTTA, SATURDAY, FEBRUARY 21, 1874.

Separate paging is given to this Part in order that it may be filed as a separate compilation.

CONTENTS.

PART I.—Government of India Notifications, Appointments, Promotions, Leave of Absence, General Orders, Rules and Regulations.

PART II.—Notifications by High Court, Comptroller General, Administrator General, Paper Currency Dept., Presidency Pay Master, Money Order Department, Mint Master, Secretary and Treasurer, Bank of Bengal, Supdt. of Government Printing, and other Government Officers, Postal, Telegraph, and Commissariat Notices.

PART III.—Advertisements and Notices by private Individuals and Corporations.

PART IV.—Acts of the Governor General's Council assented to by the Governor General:—

The Quieting of Titles (N. W. P.) Act, 1874.
The Administrator General's Act, 1874.

PART V.—Bills introduced in the Council of the Governor General for making Laws and Regulations, or published under Rule 22:—

Burma Fisheries Bill.

SUPPLEMENT NO. 8.

PART I.

Government of India Notifications, Appointments, Promotions, &c.

HOME DEPARTMENT.

NOTIFICATIONS.—PUBLIC.

Fort William, the 19th February 1874.

No. 586.—The under-mentioned Specifications of Inventions have been filed, under the provisions of Act XV of 1859, in the Office of the Secretary to the Government of India, in the Home Department. Copies have been sent to one of the Secretaries to each of the Governments of Bengal, Fort St. George, Bombay, and the North-Western Provinces. A copy of every Specification is open, at all reasonable hours, at the Office of the Secretary to the Government of India, in the Home Department, to public inspection, upon payment of a fee of one rupee. A certified copy of any Specification will be given to any person requiring the same, on payment of the expense of copying:—

No. 724.—Mr. W. W. Shanks, Mechanical Engineer Attock, Punjab, for an improved press for compressing oil-seeds, hides, cotton, jute or other substances, but particularly substances requiring power to work them. The invention is called Duplex Press.

No. 738.—Mr. Benjamin Robb, Agent, Mofussil Company, Limited, Broach, for securing or fastening the ends of hoop iron on full pressed bales of cotton and other such material.

No. 746.—Mr. John West, Gas Engineer, of Maidstone, in the County of Kent, in the United Kingdom of Great Britain, for an improved method of manufacturing gas, and for the apparatus employed therewith.

The 20th February 1874.

No. 610.—In supersession of the Notification of this Department, No. 431, dated the 10th instant, His Excellency the Viceroy is pleased to confer upon the under-mentioned gentlemen the privilege of the private entrée to Government House:—

Gentlemen who have been non-official Additional Members of the Council of the Governor General for making Laws and Regulations. Consulting Naval Officer for the Marine Department.

Senior Naval Officer present in Calcutta, irrespective of his particular rank.

The Representative in Calcutta of the Nepal Durbar.

The Deputy Secretary to the Government of India in the Department of Agriculture, Revenue, and Commerce.

The 17th February 1874.

No. 12.—The under-mentioned Officers of the British Burma Commission have passed the examination prescribed for Junior Officers of that Commission:—

1ST BRANCH, BURMESE.

Lower Standard:

Mr. R. H. Pilcher, Assistant Commissioner, 3rd Grade.

2ND BRANCH, LAW.

Lower Standard:

Lieutenant W. Stainforth, Officiating Assistant Commissioner, 3rd Grade.

Lieutenant H. Boileau, Assistant Commissioner, 3rd Grade.

Higher Standard.

Mr. A. H. Unwin, Assistant Commissioner, 3rd Grade.

*3RD BRANCH, REVENUE.**Lower Standard.*

Lieutenant W. Stainforth, Officiating Assistant Commissioner, 3rd Grade.

Higher Standard.

Mr. A. Hough, Assistant Commissioner, 3rd Grade.

EDUCATION.

The 20th February 1874.

No. 67.—His Excellency the Governor General in Council is pleased to appoint the under-mentioned Gentlemen to be Fellows of the University of Calcutta, *viz.* :—

The Hon'ble G. G. Morris, c. s.

The Hon'ble B. D. Colvin.

The Hon'ble V. H. Schaleh, c. s.

Surgeon-Major S. C. Townsend.

W. L. Heeley, Esq., B. A., c. s.

Surgeon-Major J. L. Bryden, m. d.

M. H. L. Beebee, Esq., m. a.

H. H. Locke, Esq., Principal of the Government School of Art, Calcutta.

J. H. A. Branson, Esq., Barrister-at-Law.

Baboo Omesh Chunder Dutt, Vice-Chairman of the Justices of the Peace for the Town of Calcutta.

Baboo Shama Churn Surkar, Tagore Law Professor.

G. W. Barclay, Esq., m. a.

The Reverend M. A. Sherring, m. a.

ECCLESIASTICAL.

The 18th February 1874.

No. 57.—Special leave on urgent private affairs for three months, from the 26th instant, together with subsidiary leave from the 21st ultimo, is granted to the Reverend T. L. J. Warneford, Chaplain of Port Blair, in lieu of the privilege leave granted in the Home Department Notification No. 359, dated the 31st October 1873.

No. 60.—The services of the Reverend J. Brown, B. A., a Junior Chaplain on the Bengal Establishment, are placed at the disposal of the Government of the Punjab.

A. C. LYALL,
Secy. to the Govt. of India.

**DEPARTMENT OF
AGRICULTURE, REVENUE AND
COMMERCE.****NOTIFICATIONS.—CUSTOMS AND SALT.**

Fort William, the 20th February 1874.

No. 50.—Mr. R. M. Adam, Assistant Commissioner in charge of the Sambhur Division, is appointed to be Deputy Commissioner of Inland Customs, with effect from the 9th instant, the date on which Mr. W. O. Bell made over charge of that appointment.

Mr. W. T. Lyon, Inspector at the Mandi Salt Mines, is appointed Assistant Commissioner in charge of the Inland Customs Department at the Sambhur Lake, with effect from the same date.

SURVEYS.

The 14th February 1874.

No. 105.—The following officiating promotions are made with effect from the 4th January 1874:—

Captain George Strahan, R. E., Deputy Superintendent, 2nd Grade, Topographical Survey Department, to officiate as Deputy Superintendent, 1st Grade, *vice* Colonel G. H. Saxton, Deputy Superintendent, 1st Grade, who has proceeded on furlough.

Captain Charles Strahan, R. E., Deputy Superintendent, 3rd Grade, to officiate as Deputy Superintendent, 2nd Grade, *vice* Captain George Strahan, promoted.

Lieutenant E. P. Leach, R. E., Assistant Superintendent, 2nd Grade, to officiate as Assistant Superintendent, 1st Grade, *vice* Lieutenant T. H. Holdich, R. E., promoted.

The 20th February 1874.

No. 112.—Mr. J. P. Barker, Assistant Superintendent, Mysore Revenue Survey, is promoted from the 3rd to the 2nd Grade, with effect from the 1st December 1873.

A. O. HUME,
Secy. to the Govt. of India.

FOREIGN DEPARTMENT.**NOTIFICATIONS.—POLITICAL.**

Fort William, the 19th February 1874.

No. 471P.—In recognition of the services rendered to Government by Moonshi Shewak Ram, Treasurer in the Office of the Political Superintendent, Upper Sinde Frontier, during recent inundations in the Jacobabad District, the Viceroy and Governor General is pleased to confer upon him the title of "Rao Bahadoor" as a personal distinction.

The 20th February 1874.

No. 475P.—The following Regulation is published for general information:—

PUNJAB FRONTIER REGULATION No. 9.

Whereas by a Resolution passed by the Secretary of State in Council on the 6th day of October 1870, the provisions of the 33rd of Victoria, Chapter 3, Section 1, were declared applicable to the districts of Bannú, Derah Ismail Khán and Derah Gházi Khán; and whereas the Lieutenant-Governor of the Punjab has proposed to the Governor General in Council a draft of the following Regulation, together with the reasons for proposing the same; and whereas the Governor General in Council has taken such draft and reasons into consideration, and has approved of such draft, and the same has received the Governor General's assent:

In pursuance of the direction contained in the said section, the said draft is now published in the *Gazette of India*, and will be published in the local Gazette, and will thereupon have the force of law.

I.—This Regulation may be called "The Frontier Grazing Regulation, 1874."

II.—In this Regulation "cattle" includes also elephants, camels, buffaloes, horses, mares, geldings, ponies, colts, fillies and mules.

III.—No cattle, sheep, asses or goats shall, except in the cases provided for in Section IX, be grazed to the west of the frontier military road in the districts of Bannú, Derah Ismail Khán, and

Derah Gházi Khán, without being accompanied by an armed guard of not less than the following strength, namely :—

- (a).—For sheep, goats and asses, where the number does not exceed one hundred, one man; for every additional hundred, or part of a hundred, one man.
- (b).—For cattle, where the number does not exceed one hundred, two men; for every additional hundred, or part of a hundred, two men.

Whereas in the Marwat District of Bannú the frontier military road skirts the foot of the hill ranges in independent territory, no cattle, sheep, asses or goats, except as provided for in Section IX, shall be grazed on the lands of any village which immediately adjoins the frontier unless accompanied by an armed guard of the strength already mentioned.

IV.—Any cattle, sheep, asses or goats discovered by the patrols grazing within the above-mentioned limits unaccompanied by the guard prescribed in the preceding section shall be seized and sent to the nearest police station.

V.—No animals taken to a police station under the preceding section shall be released, except on payment of the following penalties in addition to all charges incurred in seizing and keeping them :—

For each camel	...	2 annas.
„ head of cattle other than camels,		
and for each ass	...	1 anna.
„ sheep or goat	...	3 pies.

VI. When animals which have been carried off owing to the gross negligence of the owners and their failure to comply with the requirements of this Regulation are subsequently recovered by the police or by other officers of Government, the following penalties shall be exacted on their restoration to the owners in addition to all charges incurred in recovering and keeping them :—

For each camel	...	5 rupees.
„ head of cattle other than camels...		1 rupee.
„ ass	...	8 annas.
„ sheep or goat	...	2 "

VII.—If the owner of any animals seized or recovered under this Regulation, or his agent appear and refuse to pay the penalties and charges incurred, the animals or as many of them as may be necessary, shall be sold under the orders of the Deputy Commissioner, to defray the said charges and penalties as nearly as may be in accordance with the rules prescribed for impounded cattle by Section 16 of "the Cattle Trespass Act, 1871."

VIII.—If any animals seized or recovered under this Regulation be not claimed within seven days from the date of their being so seized or recovered, they may, after proclamation of the number and description of the animals, the place where they were seized or recovered, and the police station to which they have been taken, be sold under the orders of the Deputy Commissioner as nearly as may be in conformity with the rules prescribed for impounded cattle by Section 14 of "the Cattle Trespass Act, 1871." The surplus proceeds of the sale after deducting all penalties and charges shall be held in deposit for three calendar months, and, if no claims thereto be preferred and established within that period, shall, at its expiry, be at the disposal of the local Government.

IX.—When tracts of territory, hill and plain, on both sides of the frontier line in the districts before mentioned are occupied by members of the same tribe (as in the cases of the Ushteranies in

Derah Ismail Khán, and of the Ahmadzai Wazirs in Bannú), the Deputy Commissioner of the district may in his discretion accept written guarantees from the headmen of such tribes for the security of cattle, sheep, asses or goats at graze on the border should such headmen represent that armed guards are unnecessary; and in the event of his accepting such guarantees, the tracts in question shall be exempt from the operation of Sections III, IV and V of this Regulation. Information of such exemptions from the operation of the said sections shall be invariably conveyed to the Officer Commanding the Militia and Outposts.

GENERAL.

The 20th February 1874.

No. 404 G.—APPOINTMENT.—Surgeon F. P. Edis, M. B., of the Bengal Medical Establishment, to the officiating medical charge of the 1st Regiment, Central India Horse, vice Surgeon R. Harvey, M.B., proceeding on furlough to Europe.

No. 410 G.—LEAVE.—Dr. J. Kirk, Political Agent at Zanzibar, is granted furlough on medical certificate for one year.

No. 411 G.—APPOINTMENT.—Captain W. F. Prideaux, 2nd Assistant to the Resident at Aden, to officiate as Political Agent of the 1st Class, and to be posted to Zanzibar, during Dr. Kirk's absence on furlough.

No. 412 G.—Dr. Kirk delivered over, and Captain Prideaux received, charge of the Zanzibar Political Agency on the 18th December last.

C. U. AITCHISON,
Secy. to the Govt. of India.

FINANCIAL DEPARTMENT.

NOTIFICATIONS.—ACCOUNTS.

Fort William, the 20th February 1874.

No. 1297.—Bills drawn upon India by the Secretary of State in the year 1873-74 to end of February 1874, including bills drawn before 1st April 1873, but paid since that date or still outstanding.

	£	Rs.	Average rate.	Loss incurred with outturn at an exchange of 2s. per rupee.
Estimated for the whole year ...	13,500,000	14,35,00,000	1-10-58	85,00,000
Actual to date ...	13,303,454	14,28,54,000	1-10-35	98,19,460

Estimated loss on bills for Rs. 14,28,54,000 at 1-10-58 Rs. 83,76,217
Actual " 1-10-32 " 98,19,460
Less in excess of estimate " 14,43,213

LEAVE AND ALLOWANCES.

The 20th February 1874.

No. 1262.—Under existing rules, uncovenanted servants, with some exceptions, when transferred from one appointment to another, are entitled on certain conditions to travelling allowance at four annas a mile. In modification of those rules, the Governor General in Council is pleased to decide for the future, that when an uncovenanted ser-

vant, belonging to any graded service other than the Postal or Telegraph Department, is transferred from one office to another, he may, if the conditions on which travelling allowance is admissible to him on account of such transfer be fulfilled, draw travelling allowance at 8 annas a mile.

MINT AND CURRENCY.

The 20th February 1874.

No. 1283.—The following Statement of the Silver received and coined in the Mints of Calcutta and Bombay in January 1874 is published for general information:—

	CALCUTTA.			BOMBAY.		
	Bullion or Coin received during the month, valued in Rupees.		Coined and extra-mined during the month, valued in Rupees.	Bullion or Coin received during the month, valued in Rupees.		Coined and extra-mined during the month, valued in Rupees.
	Govt.	Merchants.		Govt.	Merchants.	
In January 1874 ...	95	13,17,145	6,22,283	57,118	5,88,745	2,99,925

PENSIONS AND GRATUITIES.

The 20th February 1874.

No. 1266.—The Governor General in Council directs that the following be added as case (c. 1) under section 102 of the Civil Pension Code:—

(c. 1) Men who served with the 1st Regiment, Nagpur Irregular Infantry, or with the Mulki Horse during the mutiny in 1857, count two years additional service.

SEPARATE REVENUE.—STAMPS.

The 20th February 1874.

No. 1293.—In exercise of the powers conferred by section 35 of the Court Fees Act VII of 1870, the Governor General in Council is pleased to remit the whole of the fees chargeable on applications in writing relating exclusively to the purchase of salt, the property of Government.

R. B. CHAPMAN,
Secy. to the Govt. of India.

MILITARY DEPARTMENT.

Fort William, the 16th February 1874.

No. 141 of 1874.—The under-mentioned Officer is permitted to proceed to Europe on furlough on private affairs:—

Major Archibald Edwards Campbell, of the Bengal Staff Corps, Deputy Commissioner, 3rd Grade, Bengal,—for two years, under the Regulations of 1868.

This cancels G. G. O. No. 1183 of 1873.

No. 142 of 1874.—Native Medical Pupil Hur Bhugwan, No. 484, passed the prescribed English qualification examination on the 30th January 1874, according to the test laid down in G. G. O. No. 945 of the 7th October 1868.

The 17th February 1874.

No. 143 of 1874.—The under-mentioned Warrant Officer is allowed furlough to Europe on medical certificate:—

Conductor William Nash, of the Ordnance Commissariat Department,—for two years, under the provisions of G. G. O. Nos. 207 of 1869 and 888 of 1872.

No. 144 of 1874.—The under-mentioned Officer has been allowed furlough to Europe (medical certificate):—

Major Eugene Clutterbuck Impey, of the Bengal Staff Corps, Political Agent, Rajpootana Agency, Officiating Resident, 2nd Class, Political Agent, Gwalior,—for 10 months, under the Regulations of 1868.

No. 145 of 1874.—His Excellency the Governor General in Council is pleased to make the following appointment:—

Army Commissariat Department.

Lieutenant C. C. Dyce, of the Bengal Staff Corps, 2nd Wing Subaltern, 29th (Punjab) Regiment of Native Infantry, to officiate in the Commissariat Department as a temporary arrangement, and until further orders.

No. 146 of 1874.—The under-mentioned Native Medical Pupils who were admitted by G. G. O. No. 819 of 1872 and No. 1054 of 1873, are struck off the list of Native Medical Pupils:—

Munnoo Lall, No. 349.

Abdool Ruzak, No. 357.

Abdool Kurreem, No. 358.

Mahomed Hossein, No. 391.

Mahomed Abdool Raheem, No. 392.

Syed Zynoola Abadeen, No. 393.

Mahomed Shereeff, No. 395.

Assaram, No. 576.

No. 147 of 1874.—The under-mentioned Officers are permitted to proceed to Europe on furlough on private affairs:—

Surgeon Major Nottidge Charles Macnamara, of the Medical Department, Superintendent, Eye Infirmary, Calcutta,—for two years, under the Regulations of 1868.

Surgeon Major Charles Palmer, M. D., of the Medical Department, Presidency, and Marine Surgeon,—for two years, under the Regulations of 1868.

Surgeon Major James Fairweather, M. D., of the Medical Department,—for one year, under the Regulations of 1868.

Captain Duncan John Stewart, of the General List, Infantry, Quartermaster, 3rd Regiment of Native Infantry,—for two years, under the Regulations of 1868.

No. 148 of 1874.—First Class Hospital Assistant Meer Enayet Hoosein, of the Bengal Subordinate Medical Department, having been declared unfit for further duty after a service of upwards of 25 years, is transferred to the Invalid Pension Establishment on a stipend of Rs. 30 per mensem, with effect from the date he may have last received effective pay, the pensioner is allowed to receive his stipend at Nagpore.

The 18th February 1874.

No. 149 of 1874.—The under-mentioned Officer has been permitted to proceed to Europe on furlough on private affairs:—

Captain Alexander Innes Shepherd, of the Bengal Staff Corps, Adjutant, 4th Punjab Infantry, Punjab Frontier Force,—for two years, under the Regulations of 1868.

No. 150 of 1874.—The under-mentioned Officers of the Royal Engineers, who have been placed under orders for duty in the Bengal Presidency, reported their arrival on the dates specified:—

Captain J. E. Toller,—date of arrival at Bombay, 8th February 1874.

Lieutenant S. H. Exham, and Lieutenant C. Nugent,—date of arrival at Bombay, 12th February 1874.

The 19th February 1874.

No. 151 of 1874.—The under-mentioned officers and warrant officer have reported their return from England:—

Lieutenant-Colonel (Bt.-Col.) C. Lyons-Montgomery, of the Bengal Staff Corps, Commandant, 10th Regiment of Native Infantry,—date of arrival at Fort William, 9th February 1874.

Lieutenant-Colonel H. P. Babbage, of the Bengal Staff Corps, Deputy Commissioner, 3rd class, Punjab,—date of arrival at Bombay, 5th December 1873.

Lieutenant-Colonel T. B. Harrison, of the Bengal Staff Corps, 1st Examiner, Pay Department,—date of arrival at Fort William, 9th February 1874.

Lieutenant-Colonel A. T. Armstrong, of the Bengal Staff Corps, 2nd in Command and Squadron Officer, 10th Bengal Lancers,—date of arrival at Bombay, 12th February 1874.

Lieutenant-Colonel E. W. Dun, of the Madras Staff Corps, Commandant, 6th Infantry, Hyderabad Contingent,—date of arrival at Bombay, 1st January 1874.

Major D. Macdonald, of the Bengal Staff Corps, Deputy Superintendent, 3rd grade, Revenue Survey Department,—date of arrival at Bombay, 14th January 1874 (date of departure on furlough, 18th January 1872).

Major W. G. Ward, of the Madras Staff Corps, Assistant to the Resident, and Assistant to the General Superintendent of Operations for the Suppression of Thuggee and Dacoity, Hyderabad,—date of arrival at Bombay, 29th January 1874.

Surgeon Major C. T. Eves, of the Madras Medical Department, in medical charge, 6th Infantry, Hyderabad Contingent,—date of arrival at Bombay, 9th January 1874.

Captain P. Lambert, of the Royal Engineers, Executive Engineer, 2nd grade, D. P. W., Punjab,—date of arrival at Bombay, 12th December 1873 (date of departure on furlough, 15th January 1872).

Lieutenant W. I. LeBreton, of the Bombay Staff Corps, Deputy Controller of P. W. Accounts, Bombay, and Officiating Controller, Hyderabad,—date of arrival at Bombay, 7th January 1874.

1st Class Apothecary T. Keefe, of the Subordinate Medical Department,—date of arrival at Bombay, 12th February 1874.

No. 152 of 1874.—The services of Assistant Apothecary W. Croydon, of the Subordinate Medical Department, are placed at the disposal of His Excellency the Commander-in-Chief.

No. 153 of 1874.—The following promotion in, and admission to, the Order of British India, are made under the operation of G. G. O. No. 551 of the 5th June 1868, with effect from the 1st February 1874:—

To be a Member of the 1st Class of the Order of British India, with the title of "Sirdar Bahadoor" —

Subadar Major Shekh Furreed "Bahadoor", of the 21st Regiment of Madras Native Infantry, vice Subadar Major Veerasawmy, "Sirdar Bahadoor", and Subadar Veeragoo, "Sirdar Bahadoor", pensioned.

To be a Member of the 2nd Class of the Order of British India, with the title of "Bahadoor" —

Subadar Rungasawmy, of the 26th Regiment of Madras Native Infantry, vice Subadar Major Shekh Furreed, promoted to the 1st Class.

No. 154 of 1874.—The following appointment and promotions are made in the under-mentioned corps of the Native Army:—

2nd Regiment of Native (Light) Infantry.

Subadar Daveedeen "Bahadoor" is appointed Subadar Major, vice Sewbuccus Awusty "Sirdar Bahadoor," deceased.

Jemadar Ramdial Lolla, to be Subadar, vice Sewbuccus Awusty, "Sirdar Bahadoor," deceased.

Havildar Ramrutton Opadhea, to be Jemadar, vice Ramdial Lolla, promoted.

The above appointment and promotions will have effect from the 13th December 1873.

12th (The Kelat-i-Ghilzie) Regiment of Native Infantry.

Jemadar Suddanund Sookool, to be Subadar, vice Syfoola Khan, deceased.

Havildar Kassim Allie Shah, to be Jemadar, vice Suddanund Sookool, promoted.

These promotions will have effect from the 9th January 1874.

No. 155 of 1874.—The under-mentioned Officer is permitted to proceed to Europe on furlough on private affairs:—

Colonel Donald Campbell Vanrenen, of the Royal Artillery, Deputy Surveyor General and Superintendent of the Revenue Surveys, Lower Circle, Calcutta,—for two years, under the Regulations of 1868.

No. 156 of 1874.—The following extract from the *London Gazette* of the 20th January 1874, page 241, is published for general information:—

INDIA OFFICE, 19th January 1874.

Her Majesty has been pleased to approve of the following admissions to the Staff Corps made by the Governments in India:—

BENGAL STAFF CORPS.

To be Lieutenants—

Lieutenant Thomas Oliver Wingate, 21st Regiment,—dated 17th November 1863.

Lieutenant Joseph Seymour Biscoe, Royal Artillery,—dated 24th March 1865.

Lieutenant William Potter Newall, 41st Regiment,—dated 7th December 1870.

Lieutenant James Frank Rivett-Carnac, 12th Regiment,—dated 15th February 1871.

Lieutenant Gerald Ward Martin, 88th Regiment,—dated 24th March 1871.

Lieutenant William Francis Hungerford Grey, 29th Regiment,—dated 28th October 1871.

Lieutenant Edward Bruce, 39th Regiment,—dated 28th October 1871.

The 20th February 1874.

No. 157 of 1874.—The under-mentioned Officers of the Staff Corps having completed five years' service as substantive Lieutenant Colonel, are promoted to the rank of Colonel by Brevet, from the date specified, under the operation of the

Royal Warrant, dated 16th January 1861, Clause 2, subject to Her Majesty's approval:—

Lieutenant Colonel William Henry Shadwell Earle, Bengal Staff Corps,—17th February 1874.

Lieutenant Colonel William Briggs, Bengal Staff Corps,—17th February 1874.

No. 158 of 1874.—The under-mentioned Officers of the Bengal Staff Corps, having completed 26 years' service, are promoted to the rank of Lieutenant Colonel, from the dates specified, under the provisions of G. G. O. No. 808 of the 26th September 1866, subject to Her Majesty's approval:—

Major Robert Stevenson Moseley,—17th February 1874.

Major Alfred Worsley Montagu,—20th February 1874.

Major Alexander Callander,—20th February 1874.

No. 159 of 1874.—The under-mentioned Officers of the Bengal Staff Corps, having completed 20 years' service, are promoted to the rank of Major, from the date specified, under the provisions of G. G. O. No. 808 of the 26th September 1866, subject to Her Majesty's approval:—

Captain Harry Dawkins Eardley Wilmot Chester,—20th February 1874.

Captain Alexander Haldane Eckford,—20th February 1874.

No. 160 of 1874.—The under-mentioned Officer, having completed 12 years' service, including four years in the Staff Corps, is promoted to the rank of Captain, from the date specified, under the Royal Warrant of the 16th January 1861, subject to Her Majesty's approval:—

Bengal Staff Corps.

Lieutenant William Francis Trotter,—18th February 1874.

No. 161 of 1874.—The following promotion is made subject to Her Majesty's approval:—

Corps.	Rank and Name.	To what Rank promoted.	From what date.	In whose room.
General List Cavalry.	Lieut. (Brevet Captain) Charles Bell Horsbrugh.	Captain	22nd January 1874.	Capt. E. Wells, retired.

H. K. BURNE, Colonel,
Secretary to the Govt. of India.

PUBLIC WORKS DEPARTMENT.

NOTIFICATIONS.—ESTABLISHMENT.

Fort William, the 14th February 1874.

No. 92.—Private C. Clancy, Probationary Overseer, 1st Grade, British Burmah, is confirmed in his appointment.

No. 94.—Mr. E. Hyde, Executive Engineer, 4th Grade, Indus Valley (State) Railway, is granted two years' leave under Section 9, Supplement F of the Civil Leave Code, from such date as he may avail himself of it.

No. 95.—Mr. J. H. Cochrane is appointed to the Public Works Department as an Executive Engineer, 2nd Grade, for special duty in Tirhoot.

The 16th February 1874.

No. 96.—Private W. Denmade, Probationary Overseer, 1st Grade, Rajpootana, is remanded to Military duty.

No. 97.—Mootee Ram, Probationary Accountant, 4th Grade, Military Works Branch, is confirmed in his appointment.

No. 98.—Captain W. P. Tomkins, R. E., Executive Engineer, 2nd Grade, on return from furlough, is posted to the Military Works Branch.

No. 99.—The Officer having the chief engineering control of a State Railway will hereafter be officially designated "Engineer-in-Chief," whether his departmental rank be Chief, Superintending or Executive Engineer.

It is to be understood that the above designation is merely to be used as a matter of official convenience, and confers on the Officer receiving it no departmental rank and no increase of salary or allowance, and is to cease to apply to any Officer on his giving up the engineering charge of a Railway permanently or temporarily otherwise than on privilege leave.

The 17th February 1874.

No. 100.—Mr. A. B. Sampson, B. A., Under Secretary to the Government of India in the Public Works Department, has been granted, by the Secretary of State, leave for six months on medical certificate, in extension of that granted him in Public Works Department Notification No. 144 of the 28th February 1873.

No. 101.—Mr. D. G. Ottley, Assistant Engineer, 1st Grade, Indus Valley (State) Railway, has passed the examination in the native languages according to the departmental standard.

No. 102.—Lieutenant J. W. Ottley, R. E., Executive Engineer, 4th Grade, is temporarily transferred from the Punjab to Bengal, Irrigation Branch.

The 19th February 1874.

No. 103.—R. Narainsawmy Naidoo is appointed to the Public Works Department as a temporary Overseer, 3rd Grade, and posted to Hyderabad.

The 20th February 1874.

No. 104.—The services of Lieutenant Colonel J. F. Tennant, R. E., are placed at the disposal of the Department of Agriculture, Revenue and Commerce.

No. 105.—The appointment of Lieutenant C. H. P. Christie, R. E., as Deputy Controller of Public Works Accounts by the Government of Madras is confirmed.

No. 106.—Mr. C. C. Harold, Deputy Controller of Accounts, Military Works Branch, is temporarily transferred to the office of the Accountant General, Public Works Department, which he joined on the 10th instant forenoon.

Mr. W. Goodenough Bayly, B. A., Deputy Controller, Officiating Examiner of Guaranteed Railway Accounts, Lahore, is transferred to the Military Works Branch.

Captain H. Doveton, R. E., Executive Engineer, 3rd Grade, North-Western Provinces, is appointed to officiate as Examiner of Guaranteed Railway Accounts, Lahore.

Captain L. Conway-Gordon, R. E., Examiner of Guaranteed Railway Accounts, Calcutta, on special duty, will officiate as Examiner of Guaranteed Railway Accounts, Lahore, pending the arrival of Captain Doveton.

Captain Conway-Gordon assumed charge from Mr. Bayly on the forenoon of the 31st ultimo.

TELEGRAPH.

The 14th February 1874.

No. 93.—Mr. R. W. Buller, Assistant Superintendent, 2nd Grade, is allowed an extension of one day's subsidiary leave in continuation of the one week's leave granted him in Notification No. 787, dated 17th December 1873.

C. H. DICKENS, Colonel, R. A.,
Secy. to the Govt. of India.



The Gazette of India.

Published by Authority.

CALCUTTA, SATURDAY, FEBRUARY 28, 1874.

Separate paging is given to this Part in order that it may be filed as a separate compilation.

CONTENTS.

PART I.—Government of India Notifications, Appointments, Promotions, Leave of Absence, General Orders, Rules and Regulations.

PART II.—Notifications by High Court, Comptroller General, Administrator General, Paper Currency Dept., Presidency Pay Master, Money Order Department, Mint Master, Secretary and Treasurer, Bank of Bengal, Supdt. of Government Printing, and other Government Officers, Postal, Telegraph, and Commissariat Notices.

PART III.—Advertisements and Notices by private Individuals and Corporations.

PART IV.—Acts of the Governor General's Council assented to by the Governor General:—

The Quieting of Titles (N. W. P.) Act, 1874.
The Administrator General's Act, 1874.
The Married Women's Property Act, 1874.
The Foreign Recruiting Act, 1874.

PART V.—Bills introduced in the Council of the Governor General for making Laws and Regulations, or published under Rule 22:—

Burma Fisheries Bill.
Assam Chief Commissioner's Powers Bill.

SUPPLEMENT NO. 9.

PART I.

Government of India Notifications, Appointments, Promotions, &c.

HOME DEPARTMENT.

NOTIFICATIONS.—PUBLIC.

Fort William, the 24th February 1874.

No. 45.—The Governor General in Council is pleased to attach Mr. E. R. Henry, of the Civil Service, to the Lower Provinces of Bengal.

The 26th February 1874.

No. 47.—Mr. A. H. L. Fraser, of the Covenanted Civil Service, has been granted by Her Majesty's Secretary of State an extension of leave for six months on medical certificate.

No. 50.—The services of Mr. Anunda Ram Barooah, c. s., are placed at the disposal of the Government of Bengal.

The 27th February 1874.

No. 53.—His Excellency the Governor General in Council has been pleased to appoint Mr. A. H. Unwin, Bombay Civil Service, Assistant Commissioner, third Class, in the British Burma, to be Inspector of Schools in that Province, *vice* Mr. Nesfield, transferred to Oudh.

JUDICIAL.

The 27th February 1874.

No. 316.—The Honorable Dwarka Nath Mitter, a Judge of the High Court of Judicature at Fort William in Bengal, has obtained furlough on medical certificate for nine months, with effect from the 24th November last, the date of the commencement of the privilege leave granted to him.

The Notifications of this Department, No. 1878, dated 28th November 1873, and No. 185, dated 3rd instant, are cancelled.

ECCLESIASTICAL.

The 24th February 1874.

No. 64.—The Reverend James Baker Morewood has been appointed by Her Majesty's Secretary of State for India to be a Junior Chaplain on the Bengal Establishment, with effect from the 16th instant.

A. C. LYALL,
Secy. to the Govt. of India.

FOREIGN DEPARTMENT.

NOTIFICATIONS.—POLITICAL.

Fort William, the 26th February 1874.

No. 534P.—With reference to Notification No. 26C. P. of the 22nd November last, Her Majesty's Government has been pleased to confirm the recognition by the Government of India of M. Edward Audisio as Acting Consul for France at Bombay.

The 27th February 1874.

No. 536P.—With reference to Notification No. 49 C. P. of the 25th November last, the recognition, by the Government of India, of M. Emile Baudry, as Acting Consular Agent for France at Tellicherry, has been confirmed by Her Majesty's Government.

GENERAL.

The 26th February 1874.

No. 469G.—LEAVE.—Colonel J. Watson, c. b., v. c., Officiating Agent to the Governor General for Central India, is granted subsidiary leave of absence for ten days from the 1st proximo, or from such subsequent date as he may avail himself of the same, preparatory to proceeding on furlough to Europe.

The 27th February 1874.

No. 473G.—RESIGNATION.—In consequence of ill-health, Mr. T. T. Cooper is permitted, at his own request, to resign his appointment as Officiating Political Agent at Bhamo.

No. 474G.—APPOINTMENT.—Lieutenant C. B. Cooke, Assistant Secretary to the Chief Commissioner of British Burmah, is appointed to officiate as a Political Agent of the 3rd Class, and is posted to Bhamo.

No. 481G.—Major W. G. Ward resumed charge of the office of Assistant to the General Superintendent of operations for the suppression of Thuggee and Dacoitee at Julna from Captain Onslow, on the afternoon of the 7th instant.

C. U. AITCHISON,
Secy. to the Govt. of India.

FINANCIAL DEPARTMENT.

NOTIFICATIONS.—ACCOUNTS.

Fort William, the 25th February 1874.

No. 1382.—Messrs. Charles Edward Crawley, Henry George Harris Keene, and Herbert James Brereton, having obtained the highest marks in a competitive examination of nine candidates for admission to the service of the Government in the Financial Department, are appointed to be Probationers in the sixth class of the Financial Department.

Babu Ishan Chunder Bose, M. A., is appointed to be a Probationer in the sixth class of the Financial Department.

No. 1403.—Subject to the approval of the Secretary of State for India, furlough to Europe for twenty-one months, under Section 10 of the Civil Leave Code, is granted to Mr. G. Fitzgerald, additional Deputy Comptroller General.

LEAVE AND ALLOWANCES.

The 27th February 1874.

No. 1845.—With the sanction of the Secretary of State for India in Council, the Governor General in Council directs that the following be substituted for Section 7 of Supplement F to the Civil Leave Code:—

Section 7.—Furlough may be granted as follows to an Officer who has not had leave on private affairs:—

After ten years' service, one year or any less period, and thereafter at intervals of not less than eight years, one year or any less period, or

After eighteen years' service, two years or any less period, and thereafter at intervals of not less than eight years, one year or any less period:

Provided that not more than two years in all may be granted.

SEPARATE REVENUE.—CUSTOMS.

The 25th February 1874.

No. 1366.—In exercise of the powers conferred by Act XVIII of 1870, the Governor General in Council is pleased to exempt untanned skins and hides imported into British India from the whole of the duties of customs to which they are liable under the Indian Tariff Act, 1871.

SEPARATE REVENUE.—STAMPS.

The 26th February 1874.

No. 1389.—In exercise of the powers conferred by Section 16 of the General Stamp Act, XVIII of 1869, the Governor General in Council is pleased to remit the whole of the duties chargeable under the said Act on all instruments executed in favor of, by or on behalf of the Government relative to the carriage of grain to or in the territories under the respective Governments of the Lieutenant Governor of Bengal and the Lieutenant Governor of the North-Western Provinces.

This Notification shall not apply to any instrument executed after the 30th November 1874.

The 27th February 1874.

No. 1401.—In exercise of the powers conferred by Section 16 of the General Stamp Act, XVIII of 1869, the Governor General in Council is pleased to remit the whole of the duties chargeable under the said Act on instruments relating to advances made by, or under the authority of, Government for the purchase of grain or to ryots or cultivators.

This Notification extends only to the territories under the Government of the Lieutenant Governor of Bengal, and to the Benares Division under the Government of the Lieutenant Governor of the North-Western Provinces, and does not apply to any instrument executed after the 30th November 1874.

R. B. CHAPMAN,
Secy. to the Govt. of India.

MILITARY DEPARTMENT.

Fort William, the 23rd February 1874.

No. 162 of 1874.—His Excellency the Governor General in Council is pleased to make the following temporary appointments in the Department of Military Accounts:—

Presidency of Fort St. George.

Lieutenant Colonel J. W. Rideout, Military Accountant, Madras, Officiating Controller of Military Accounts, to officiate as Examiner of Commissariat, Clothing, and Stud Accounts, on the return from furlough to Europe of Colonel Gillilan, and during the absence on furlough to Europe of Lieutenant Colonel (Brevet Colonel) E. T. Fasken, or until further orders.

Major W. S. Hunt, Acting Assistant Examiner, Pay Department, to officiate as Examiner of Ordnance Accounts, vice Lieutenant Colonel (Brevet Colonel) C. Scott Elliot, proceeding on furlough to Europe, or until further orders.

Captain M. A. Rowlandson, Probationer, to officiate as Assistant Pay Examiner, vice Major Hunt.

Surgeon Major J. Murray, M. D., of the Madras Medical Department, Superintendent, Lunatic Asylum, Madras, to officiate as Examiner of Medical Accounts during the absence on furlough to Europe of Surgeon Major G. Mackay, M. D., or until further orders.

No. 163 of 1874.—The under-mentioned out-pensioner of the Royal Hospital at Chelsea, having been permitted to reside and draw his stipend in India, payment of pension is to be made and charged accordingly:—

Gunner Henry Johnson, late of the 16th Brigade, Royal Artillery,—*Rate of pension per diem, 1s. (one shilling), from the date he ceases to receive regimental pay or allowance.*

No. 164 of 1874.—With reference to G. G. O. No. 16 of 1874, Big Mohun Misser is re-admitted into the service as a Native Medical Pupil.

No. 165 of 1874.—The promotion of the Warrant Officers, notified in G. G. O. No. 14 of the 3rd January 1874, will have effect from the 30th October 1873.

No. 166 of 1874.—The under-mentioned Warrant Officer has been allowed furlough to Europe on medical certificate:—

Second Class Assistant Apothecary Samuel Saxon, of the Subordinate Medical Department,—for eighteen months, under the provisions of G. G. O. No. 207 of 1869.

No. 167 of 1874.—The under-mentioned Officers have reported their departure for Europe on the dates specified:—

Lieutenant Colonel (Brevet Colonel) J. F. Richardson, c. b., of the Bengal Staff Corps, G. G. O. No. 41 of 1874,—*Hydaspes*, 5th January 1874, from Bombay.

Lieutenant Colonel (Brevet Colonel) H. C. Adlam, of the Bengal Staff Corps, G. G. O. No. 81 of 1874,—*Queen Elizabeth*, 5th February 1874, from Calcutta.

Lieutenant Colonel E. H. Langmore, of the Bengal Staff Corps, G. G. O. No. 82 of 1874,—*Nubia*, 7th February 1874, from Bombay.

Lieutenant Colonel J. G. S. Matheson, of the Bengal Staff Corps, G. G. O. No. 115 of 1874,—*Cathay*, 13th February 1874, from Calcutta.

Major T. Nicholl, of the Royal Artillery, G. G. O. No. 1215 of 1873,—*Deccan*, 12th January 1874, from Bombay.

Major E. C. Impey, of the Bengal Staff Corps, G. G. O. No. 144 of 1874,—*Malwa*, 26th January 1874, from Bombay.

Surgeon Major A. A. Mantell, M. D., of the Medical Department, G. G. O. No. 52 of 1874,—*Hydaspes*, 5th January 1874, from Bombay.

Captain T. B. M. Glascock, of the Bengal Staff Corps, G. G. O. No. 1070 of 1873,—*Persia*, 1st January 1874, from Bombay.

Captain B. P. Hodgson, of the Bengal Staff Corps, G. G. O. No. 3 of 1874,—*Persia*, 1st January 1874, from Bombay.

Lieutenant S. J. Dunlop, of the Bengal Staff Corps, G. G. O. No. 107 of 1874,—*Sunda*, 19th January 1874, from Bombay.

Lieutenant P. F. M. Baddeley, of the Royal Artillery, Madras Government Order No. 319 of 1873,—*Malwa*, 26th January 1874, from Bombay.

No. 168 of 1874.—The under-mentioned Officer is permitted to proceed to Europe on furlough on urgent private affairs:—

Captain Allan Harden, of the General List, Infantry, 1st Wing Subaltern, 2nd Regiment of Native (Light) Infantry, for six months, under Rule XI of the Regulations of 1868.

The 24th February 1874.

No. 169 of 1874.—The services of Lieutenant G. M. Bellasis, of the 107th Foot, a candidate for the Bengal Staff Corps, are placed at the disposal of the Public Works Department, with effect from the date he joined that Department temporarily under G. G. O. No. 1010, dated the 23rd September last.

No. 170 of 1874.—The following paragraph of a Military Letter from the Right Hon'ble the Secretary of State for India, No. 5, dated the 14th of January 1874, is published for general information:—

3. I have resolved to grant to Officers, whether of the British or Indian service, in Command of Divisions or Brigades, the English pay of their rank, when on leave on private affairs, under General Order No. 952 of 1861. This decision will apply to all other Officers affected by this General Order.

The 25th February 1874.

No. 171 of 1874.—The Furlough Rules of 1868, as revised by various subsequent decisions, are republished for general information; and in future this General Order shall ordinarily be referred to in any matter depending on those rules. The rules previously in force will be designated, as heretofore, the Furlough Rules of 1796 and 1854.

The following G. G. O. are cancelled prospectively from the 1st January 1875:—

G. G. O. No. 630 of 1869 (1st clause).

G. G. O. No. 627 of 1870.

G. G. O. No. 613 of 1871.

2. These rules are applicable to all officers who, on the 1st July 1868, belonged to the several Indian Staff Corps and Indian Corps, or to the Indian Army, and who have elected, or may elect, to adopt them: officers of the British Army who entered the Staff Corps after that date are of course subject to them.

In regard to the periods of leave of absence

Also to Officers of R. A. and R. E., late of Indian Army, when holding permanent non-regimental appointments.

During which appointments may be held, and in regard to the increased allowances, they are also applicable to officers of the Royal Artillery and Royal Engineers, late of the Indian Army, holding permanent staff appointments not of a regimental nature, and to such officers of the Engineers of the Imperial Establishment as may be permanently employed on the staff in India.

But should an officer of the British Service, holding such permanent staff appointment, be allowed to proceed on leave under circumstances which, by these rules, would involve loss of appointment, he cannot take leave under them, but simply as a British Officer holding no appointment.

3. These rules are not applicable to officers on the Invalid or Invalid Pension Establishment, even if previous to their transfer they should have elected them, being intended solely for officers on the effective list.

4. They are not applicable to Regimental Officers generally of the British Service, whether formerly belonging to the Indian Army and now in the Royal Artillery, Royal Engineers, and new Line Regiments, or on the old Line Establishment: nor are they applicable to officers of the British

Only partially to Officers of the British Service holding 5-year appointments. the sense in which the rules of 1854 were made applicable, *viz.*, as regulating the amount of absentee allowance to be granted to such officers holding staff appointments, when they are absent on furlough on medical certificate.

Do not apply to Officers of the British Medical Staff are not entitled to this advantage.

5. They are applicable to Officers of the Royal

Apply to R. E. Officers on the Imperial list holding permanent non-regimental staff appointments.

Miners; these will count service towards furlough from the date of their arrival in India.

These Officers, therefore, and other Royal Engineer Officers of the Imperial list on permanent staff employ under the Government, will be entitled to a furlough of two years after eight years' service in India, or at the expiration of one year from the date of their return (for a second tour of service in India) on the completion of the prescribed home service after the first period of seven years' service in India.

The English rate of pay of his rank only will be passed to such an officer during this leave; but on his return to India for a second tour of service, the difference between that pay and "Furlough Pay" will be admitted to him; and, if he should not return to India, his passage money to England will be paid to him.

Royal Engineer Officers on the Imperial Establishment, who are merely doing duty with, or attached to, the Sappers and Miners, but not on the fixed establishment and drawing staff salary, will, in regard to these rules, be on the footing of Regimental Officers of the British Service—see preceding paragraph. If, however, they afterwards accept staff employ, they also will count their service for furlough from date of arrival in India.

6. Officers of British Regiments who may join the Staff Corps, can count as

Previous service of Officers of the British Service who join Staff Corps, how reckoned towards furlough.

Corps. But any leave to England they may have

taken during service so counted will be reckoned as furlough already taken. Officers of the British Service who formerly belonged to the Indian Armies are exempted from the above proviso.

7. These rules apply also to all Warrant Officers holding Veteran or Warrant Officers Honorary Commissions, who with Hon. Com. may elect them; the period of missions. being calculated from the date of the attainment of a Commission. They will receive during furlough half their total receipts, calculated as laid down in Rule

Their pay. V, but without any reference to a minimum or maximum rate. Warrant Officers without Commissions can take furlough on medical certificate only, under these rules.

Such furlough may be for two years with retention of appointment and half of the aggregate allowances; but any extension of such leave (which will not be granted for more than one year in excess of the two years), or any leave taken within less than three years from the date of last return to duty, will be on "English furlough pay." [See Note to para. 9.]

8. Every Warrant Officer who attained warrant rank before the 19th February 1869, and who has not made his election, will be required, on the first occasion of his applying for leave out of India, to state whether he desires to take the leave under these rules, or under those previously in force applicable to Warrant Officers, *viz.*, G. G. O. Nos. 518 and 531 of 1854, G. G. O. No. 1559 of 1857, and subsequent orders. That election will be considered final.

Those who became Warrant Officers after 19th February 1869 are subject to these rules, and cannot elect any of the previous rules.

Leave on medical certificate on Indian pay and allowances to places eastward of the Cape, as allowed to Commissioned Officers under the Furlough Rules of 1796, is not in any case admissible to a Warrant Officer.

These rules respecting Warrant Officers apply to Honorary Assistant Surgeons and Warrant Officers in the Medical Department.

9. The term "Furlough Pay" having now a changed and two-fold significance, in all future orders and references "Furlough Pay" will be understood as the half Indian salary within the prescribed limits specified in paragraph V of these Rules, converted at the rate of exchange fixed by the Secretary of State for the official year, whilst "English Furlough Pay" will represent the rates heretofore allowed to the several grades as English pay under the Rules of 1796 and 1854.

NOTE.—Where in these Rules English furlough pay is mentioned as that to which an officer is to be restricted, the rates laid down in paragraph 11 of G. G. O. No. 69, dated 22nd January 1868, and (for Medical Warrant Officers) paragraph 22 of G. G. O. No. 550 of 1868, are to be understood as intended in the cases of Warrant Officers.

RULES.

I.—The distinction, with respect to allowances, Assimilation of which has been hitherto drawn between furlough on private affairs and sick leave, is abolished, both kinds of leave being included under the general term *furlough*; provision, however, being made for the obtainment of furlough under medical certificate without all the restrictions applicable to furlough when taken without medical certificate.

II.—Leave taken under the rules now prescribed will not involve forfeiture of appointment, except in the cases herein specially provided for.

Officers of the Staff Corps and local Indian Service, and Officers on the General List, can retain their appointments during *all* leave granted. Certain Officers retain appointments during *all* leave duly granted. Officers of the Staff Corps and local Indian Service, and Officers on the General List, can retain their appointments during *all* leave granted by competent authority. But their pay during such absence will be the same as they would obtain under these rules had this exemption from forfeiture of appointment not been granted.

III.—The Rules now prescribed do not affect the provisions of Act XXXIII of George III, Chapter 52, Section 70;* but an absentee cannot retain his appointment and draw absentee allowances, except under the Rules now prescribed. Nor do they affect the regulations by which General Officers Commanding Divisions and Brigades can only obtain limited periods of leave without forfeiting their commands.

IV.—Leave of absence will in future be of three kinds, *viz.* :—

I.—Furlough in or out of India.

II.—General leave on private affairs, or sick certificate in India, or short leave to sea.

III.—Privilege leave.

CHAPTER I.

Furlough.

V.—An officer drawing staff pay, in addition to Furlough pay how pay of rank, proceeding on furlough, will be allowed pay at the rate of 50 per cent. of the salary of his substantive office.

But an officer in civil employ and drawing consolidated salary, will be allowed 50 per cent. of

* The section referred to is quoted below:—

Section 70.—“And be it further enacted that no person who shall have held any civil or military station whatever in India, in the service of the said United Company, being under the rank or degree of a Member of Council or Commander-in-Chief of the Forces, and who, having departed from India by leave of the Governor General in Council, shall not return to India within the space of five years next after such departure shall be entitled to any rank or restoration of office, or be capable of again serving in India either in the European or Native Corps of Troops or in the civil line of the Company’s Service, unless, in the case of any Civil Servant of the Company, it shall be proved to the satisfaction of the Court of Directors that such absence was occasioned by sickness or infirmity, or unless such person be permitted to return with his rank to India by a vote or resolution passed by way of ballot by three parts in four of the proprietors assembled in General Court, specially convened for that purpose, whereof eight days’ previous notice of the time and purpose of such meeting shall be given in *The London Gazette*, or unless, in the case of any Military Officer, it shall be proved to the satisfaction of the said Court of Directors and the Board of Commissioners for the affairs of India that such absence was occasioned by sickness or infirmity, or some inevitable accident.”

the average salary drawn by him during the three years prior to his proceeding on furlough, or during his actual service in India should that be less than three years: and the time spent and the allowances drawn during any leave “other than privilege leave,” will be omitted in the calculation of average salary.

No absentee shall in either case draw more than £1,000, or less than £250 per annum.

The term salary will signify the total amount Meaning of term drawn by an officer, whether “Salary.” as consolidated pay, or staff allowances in addition to pay, but will not include any extra or special allowances. But, in the case of a Military Officer in civil employ, his acting allowances shall be taken into account as a part of his salary in calculating his furlough pay.

§ 2. An officer absent on furlough, who may

Pay of Officers be transferred to another office transferred to other during his absence, shall be entitled, for the entire period of his furlough, to furlough pay at the rate sanctioned to him when leaving India, whatever the salary of the office to which he may be transferred may be. This furlough pay will be continued to an officer in military employ after his return to India and until he joins his appointment, provided it is not less than the military pay, or pay and allowances, of his rank.

But an officer whose term of office shall lapse,

Pay when the ap- who shall vacate his appoint- pointment lapses or ment, or whose appointment is vacated during shall be abolished during his furlough, will revert at once to the furlough pay which he would draw in virtue of his rank, as laid down below, in § 4. Any case of sudden abolition of appointment may, however, be specially considered in the department of the Government under which the officer may have

Pay of officers pro- been employed. An officer will also be entitled to the benefit of his promotion to a higher Staff Corps or regimental rank, whilst on furlough, subject to the maximum limit.

§ 3. Officers holding regimental medical charges

Regimental medi- will be allowed to retain such cal charges retained charges during the authorized periods of furlough, as if they were medical staff appointments. And the differ-

* G. G. O. No. 1060 of 23rd December 1864, para. 29.

G. G. O. No. 370 of 4th April 1867, para. 9.

The staff salary how divided.

§ 4. Officers not in staff employ will receive half the Indian pay of their rank, provided that an officer entitled to furlough shall in no case receive less than the above minimum of £250 per annum.

NOTE.—Officers who may be entitled to income allowance from the Military Fund during absence in Europe, will draw their half salary or minimum absentee allowance under the foregoing clause, subject to a deduction equivalent to the amount of such income allowance.

VI.—All grants of furlough on private affairs

All furlough on private affairs sub- ject to the exigencies of the public service,—of which exigency the Government is to be exclusively the judge,—and

to any regulations that may be found necessary for limiting the number of absentees.

NOTE.—It is therefore within the competency of local Governments and of the Commander-in-Chief to decline to forward the application of any officer whose absence would, in their opinion, be detrimental to the interest of the public service, until such time as arrangements can be made for removing the difficulty; and it is the duty of every head of a department to decline to forward any application for furlough, whenever the services of the officer cannot be spared without risking the efficiency of the department, any doubtful case being referred for the orders of Government.

VII.—The maximum amount of furlough on private affairs limited to 2 years at one time.

Extensions of such furlough will be without pay, unless it is on medical certificate, see Rule XIII. (But see Notes (3) and (4) Rule IX.) And no extension on private affairs beyond two years will be granted, though without pay, except upon satisfactory evidence of very urgent necessity.

VIII.—A period of at least three years' service after return from last furlough, except furlough for a period not exceeding six months under Rule XI, (and excepting also, in the case of an officer in civil employ, *ordinary furlough not exceeding three months*) must be completed before furlough can again be taken, unless obtained under medical certificate. (See Rules XIII and XIV, and Note 3 of Rule IX.)

But an officer who may be *ordered* to return to duty before the completion of his furlough for the purpose of proceeding on Field Service, may be allowed to take the balance of such furlough at any time.

NOTE.—An officer in civil employ cannot reckon in this interval of three years any period of absence from actual duty, excepting those spent on privilege leave.

IX.—An officer will be eligible for two years' furlough on the completion of eight years' actual service in India, (see para. 6 of this order); for a third year after a further period of six years' actual service, and for a fourth and fifth year after similar intervals of six years, and so on up to the maximum prescribed in Rule XVI. The grant of furlough to an officer eligible for it will be subject only to the conditions specified in Rules VI and VII. But see notes to this Rule.

§2. No furlough, or extension of furlough, Furlough *without pay*, will reckon as "furlough already taken" in calculating the balance at an officer's credit, as shown in Rule X. But furlough on private affairs under the Rules of 1796 will of course so reckon.

How far previous furlough on medical certificate bars furlough on private affairs.

VIII and XVI.

§4. If an officer appointed to any *duty* in England draws his Indian allowances, with or without any reckoned portion of his staff salary, he can count the period of such employment as service towards furlough; but if he is appointed to an office in England to which a fixed consolidated

salary is attached, he cannot reckon the time of such employment as service towards furlough.

NOTE (1).—But an officer of less than eight years' service in India may obtain furlough, not exceeding two years, on medical certificate, with furlough pay and retention of appointment, provided he has been three years in the Staff Corps, or—in the case of a Royal Engineer Officer holding a permanent staff appointment, or an officer not in the Staff Corps,—has served for three years in India.

NOTE (2).—If the officer has not been three years in the Staff Corps, or served three years in India, as the case may be, he will receive "English furlough pay" only, and must vacate his appointment, unless entitled to retain it under Rule II.

This rule and the proviso in Note 1, however, are not applicable to officers of the Indian Army who entered the new Line Regiments, or Royal Artillery, and subsequently the Staff Corps.

NOTE (3).—Unemployed General Officers of the Staff Corps or local service can be granted furlough without serving the intervals of three and six years, respectively, prescribed in Rules VIII and IX; and they can remain in Europe after they have exhausted the full period of furlough allowed during an officer's service by Rule XVI (eight years on the whole) on the English furlough pay of their rank.

NOTE (4).—And a Major-General of the Staff Corps—if he has so much furlough at his credit, and proceeds to England within a year of his being promoted to that rank, or of his ceasing to be employed—can continue, after the expiration of the two years' furlough, to receive half his Indian pay until he completes the period of three years during which he would be entitled to draw his Staff Corps pay if he were in India.

X.—An officer eligible for furlough need not take the whole amount to which his service entitles him, but may apply for any portion thereof as an instalment; and in that case the balance will remain at his credit in any future computation of the amount of furlough for which he may be eligible.

Illustrations.

1. An officer who has served nine years in India is entitled to two years' furlough: He Furlough at credit how takes only one year, and after his return remains in India for five years.

He is then eligible for two years' furlough as follows:—

Total service in India	...	14 years.
Furlough due on that service	...	3 "
Furlough already taken*	...	1 year.
Balance for which he is eligible	...	2 years.

2. An officer who has served 20 years in India without taking furlough is entitled to four years' furlough. He can only take, however, two years at one time carrying pay, the balance remaining at his credit in any future computation of furlough to which he may be entitled. He can take that balance after completing three years' service from the date of his return from the first instalment.

NOTE.—An officer is said to have furlough at his credit, even though he may not be able to obtain it owing to the number of absentees, or other causes,—when the calculation of his service, as in illustration 1 above, shews a "balance for which he is eligible."

XI.—Furlough on urgent private affairs for six months on pay equivalent to the British Regimental pay of when granted. His rank may be granted when the officer has no furlough at his credit, or when from other causes, *e. g.*, the number of absentees, or his not having served three years since his last return to duty, he is not able to take it. The said period may form part of the periods of either eight or six years referred to in Rule IX, and also, —except in the case of an officer in civil employ, see Rule VIII note,—of the three years which are required to intervene between two periods of furlough by Rule VIII.

This leave cannot be given in extension of furlough of any description. It is extended beyond 6 months only on medical certificate when its advantages are lost.

deemed to have vacated his appointment, unless entitled to retain it under Rule II; the whole period will be reckoned in the maximum amount of furlough (8 years) allowed by Rule XVI, and no portion of it can form any part of the periods referred to in Rules VIII and IX.

NOTE.—Ill health is not considered as warranting furlough under this rule to any officer who under the provisions of these rules can obtain furlough on medical certificate without forfeiting his appointment.

XII.—Subject to State considerations, there will

Special permission needed for change of residence from England to India and vice versa during furlough.

must obtain permission to do so from the Government of his Presidency, or from the Secretary of State for India, as the case may be; and on landing in either country, he must report his arrival accordingly to the Military Department of his

Reports, &c., required.

Office, forwarding a copy of the permission granted him to change his destination. He must also communicate his address. An officer who, on his return to India, reports his debarkation, without forwarding at once a copy of the permission granted him to change his destination, or submitting an application for such permission, will be considered to have returned to his duty.

XIII.—Furlough on medical certificate is ob-

Consequences of extension of furlough on medical certificate over 2 years.

time will involve forfeiture of appointment. [But see exceptions in Rule II.] Furlough may, however, be extended on medical certificate up to a third year on "English furlough pay," and an officer on furlough on private affairs, who may be obliged to obtain an extension on medical certificate, will be thenceforward entitled to the same advantages, and subjected to the same disadvantages as to retention of appointment, pay, &c., as if he had originally obtained furlough on medical certificate.

In the event of an officer not being able to re-

If he exceeds 3 years' absence on medical certificate, the officer may have to retire or go on half pay.

him on the retired list, if entitled to pension, or on the half-pay list.

Extension on medical certificate over 3 years to be without pay.

NOTE.—All officers, Officers on medical certificate must be pronounced fit for duty before returning to India.

Should the circumstances of the case warrant a further extension of furlough, it can only be granted without pay.

however employed, and whatever the amount of leave granted them may be, who leave India on sick certificate, are required to produce a certificate of fitness for duty before they can be allowed to return.

XIV.—An officer whose health may necessitate his taking furlough within three years from the date of last return from any furlough except within 3 years of that taken for a period not exceeding six months under Rule

XI (and excepting also, in the case of an officer on civil employ, *ordinary furlough not exceeding three months*), may obtain, under the usual medical certificate, such amount as may be duly certified to be necessary for the restoration of his health; but he will receive only "English furlough pay," and must vacate any appointment he may be holding, unless entitled to retain it under Rule II.

§2. If however he shall have served three years since the date of his last return to duty, although there may be no balance of furlough at his credit, he will be entitled, on obtaining furlough on medical certificate, to retain his appointment and to receive "furlough pay" as laid down in Rule V for the entire period not exceeding two years. Should the latter period be exceeded, he will come under the provisions of Rule XIII.

XV.—An officer entitled to furlough, or having "Furlough at credit" bars furlough under Rule IX, but without forfeiting any passage money to which he may be entitled under Military Fund Rules,—or, if a Subaltern, by Regulation,—when proceeding on medical certificate.

§2. Should the officer be declared fit for duty Furlough on medical certificate when extended on private affairs before the expiration of two years, he may be granted extension on private affairs up to that limit, provided that he has so much at his credit, and that if he remains he will not be in excess of the established proportion of absentees. Any extension on private affairs of such furlough beyond the said period of two years must be without pay.

§3. Any extension on medical certificate of Furlough at credit furlough under § 1 of this rule must be exhausted beyond two years or any lesser before furlough on period which may be at his medical certificate credit under Rules IX and X can be given. will be regarded, in all respects, as furlough on medical certificate (Rule XIII); and if the period of two years should not exhaust the balance of furlough at his credit under Rule X, the period or periods of extension shall be deducted from such balance till the latter is exhausted. On the aggregate of two years' leave being exceeded, the officer will come under the provisions of Rule XIII.

XVI.—The aggregate amount of furlough with Total furlough pay and retention of appointment with pay, &c., in an officer's service limit, that may be granted to an officer during his service, will be limited to eight years.

NOTE.—The following periods of Furlough not reckoned leave however will not be reckoned in this period of eight years:—

§1.—Leave without pay.

§2.—Sick leave to Europe, or to the Colonies eastward of Cape under the Rules of 1796.

§3.—Leave taken under Rule XI of these Rules, provided it be not extended over the six months. If it be so extended the whole period will reckon as part of the eight years.

§4.—Leave necessitated by wounds or sickness contracted on active service, and any other leave which may be allowed by proper authority to reckon as service for pension.

§5.—In the case of an unemployed officer, periods of residence in England on English pay after promotion to the rank of Major General, or to the rank of Regimental Colonel in the Royal (late Indian) Artillery and Engineers, or after completion of tour of service as Inspector General or Deputy Inspector General of Hospitals, when the officer is no longer required to reside in India.

All other leave to Europe, or out of India for periods exceeding three months (see Rule XXVII), including furlough on medical certificate under the Furlough Rules of 1854, will form part of the period of eight years.

XVII.—If taken in India, furlough will be reckoned from and to the date of the sailing of the vessel in which he may have embarked to the date of his *bond fide* disembarkation in India for the purpose of rejoining his appointment or Regiment; the date of embarkation (or of the vessel's leaving the Sandheads if from Calcutta) and that of disembarkation also, are included in the furlough.

NOTE (1).—As an illustration of this rule, it may be observed that a Madras Officer's landing and reporting himself at Madras *en route* to Calcutta to join his appointment in Bengal or the North-Western Provinces, &c., is not disembarkation in the sense intended by this rule.

NOTE (2).—To enable an officer who overstays his leave to obtain an extension, he should shew to the extent of *extension to cover excess over furlough how obtained* that he took all needful precautions to ensure his arrival in proper time, and if delayed by the departure of the vessel being deferred, he should obtain the certificate of the owner or agent that she had been *bond fide* advertised to sail from _____ on the _____ but that her departure had been delayed till the _____. See General Order No. 52, dated 21st February 1873.

XVIII.—Preparatory leave to embark for Europe or elsewhere on furlough. Preparatory leave will be granted for any period deemed necessary, not ordinarily exceeding 30 days. Leave up to the same limit, to enable him to rejoin on his return from furlough, will be granted from the date succeeding that of his disembarkation in India. This applies equally to furloughs taken

Limited ordinarily under Rule XI. The authority to 30 days. which has power to grant preparatory leave can, on due cause being shewn, grant any necessary extension of it; but this can be done only on very sufficient reasons.

NOTE (1).—An officer obtaining a furlough on private affairs or medical certificate must embark within three months of the date of the General Order which notifies it, or take up the first portion of his furlough in India until he embarks; if not, the General Order will cease to have effect. The only exception to this rule that can be allowed is when the officer is prevented from embarking within the three months owing to his detention in India by proper authority on *bond fide* public grounds. If however the officer does not within a reasonable time avail himself of the furlough given him, his subsequently being placed on duty rendering his detention necessary will not exempt him from the rule; and in every case of such detention the officer must at once report it, and he is not to embark after the expiration of three months until he has applied for and obtained from the Government of his Presidency an extension of the period.

NOTE (2).—Officers who may be serving in other Presidencies than their own, if they desire to embark *bond fide* for Europe from the latter, may obtain preparatory leave accordingly, and their furlough will reckon from the date of their embarkation at their own Presidencies.

NOTE (3).—For full information as to the submission of applications for furlough, see G. G. O. No. 34 of 11th January 1869; G. G. O. No. 103, dated 26th January 1869;

General Order by the Commander-in-Chief, No. 135, dated 11th June 1870.

NOTE (4).—The allowances of Military Officers in Civil employ during preparatory leave, and after return to India until they rejoin their appointments, will be adjusted according to Civil Rules.

Leave preparatory to retirement from the service does not reckon as service towards pension.

XIX.—Furlough allowances are payable monthly if payment is taken in India, quarterly if payment is taken in England.

XX.—Advances of furlough pay will continue to be made in India to those officers who desire it, for three months from date of embarkation. Payments in continuation will be made in England on the expiration of six months from that date. No advance is made in England to officers on their returning to duty.

XXI.—The last pay certificate issued to each officer who may be granted furlough, whether on private affairs, or on medical certificate, will specify the rate of the pay and staff salary of his last substantive appointment, and the rate to which he will be entitled in Europe in virtue of Rule V.

XXII.—An officer acting in India for an absentee on furlough will be restricted, for the entire period of furlough, to the half staff salary of the appointment in which he may be acting, in addition to the full pay of his rank and the half staff salary of his own appointment, if he possess one. The staff salary granted to an acting officer will, however, in so such case be less than Rs. 100 per mensem.

A Warrant Officer acting for one of a higher Pay of Warrant grade on furlough receives half Officers acting for of the aggregate allowances of others on furlough. the absentee added to half of the aggregate of his own allowances.

XXIII.—The privilege heretofore granted to Military and Medical* officers who had elected the rules of 1854, of counting the proportion of leave noted in the margin as service for pension, is retained, and is applicable to those who elect these rules, subject (in the case of officers under the Rules of 1796) to the condition laid down in §4 of Rule XXXIV. The periods of service qualifying for pension remain unaltered.

§ 2. Warrant Officers obtaining that rank after the 24th August 1872, Periods of furlough reckoned by Warrant Officers towards pension. can only reckon as service towards pension the following periods of leave, whether taken in or out of India :

Years.	Years.
2	in 20
3	" 25
4	" 30
5	" 35
6	" 38

Those who were promoted to warrant rank before that date, are allowed to continue, if they prefer it, on the old rule, and reckon all leave in India as

service, all out of India being deducted from their service for pension.

Illustration of the mode of computing service for pension in any case.

Total service from date of arrival in India, say	Years.
Leave—	
Years. Months.	
In Europe say	... 6 7
In India	... 3 5
—	— = 10
Of which he can reckon	... 4
Remaining to be deducted	... 6 6
Service counting for pension	... 24

XXIV.—In computing the furlough on private affairs to which an officer who Furlough due how has already enjoyed some portion ascertained.

of such furlough will be entitled under these rules, it will be necessary to deduct the total amount of the furlough on private affairs of which he may have availed himself during his service from the total periods to which under Rule IX he can lay claim. The balance (within the limit of 8 years' total furlough on private affairs and medical certificate laid down in Rule XVI) will represent the leave to which he will be entitled on the expiration of not less than three years from his last return to duty.

Illustration.

(1).—An officer, who had obtained under the existing rules two years' furlough after ten years' service, returns to India on the date on which this order is promulgated. He accepts its conditions, and serves four years longer in India. On the expiration of that term, he can take one year's furlough, thus:—

Total service in India	...	...	14 years.
Leave to which that service entitles him	...	3 "	
Already enjoyed	...	...	2 "
Balance	...	...	1 year.

(2).—An officer of four years' service has proceeded on sick certificate to England for 20 months, extended afterwards to two years. He returns, serves six years in India, takes two years' furlough, and returns to India about the time of the promulgation of these rules, which he accepts. He must serve four years before he can take an additional year's furlough, thus:—

Total service up to return from furlough	...	14 years.
Total service in India	...	10 "
Furlough enjoyed on that service	...	2 "
Further period of service to entitle him to one year's furlough	...	4 years.

CHAPTER II.

General leave on private affairs and sick certificate in India.

XXV.—An officer will be eligible, as at present, to take leave on private affairs or sick certificate anywhere in India for any period not exceeding six months.

Leave on private affairs or medical certificate limited to India for any period not exceeding six months, at the discretion of His Excellency the Commander-in-Chief, or of the Government under which he may be serving. During the entire period of his absence on this account, the officer will be entitled, as at

present, to his full pay and a moiety of his staff salary. Pay as heretofore.

Leave taken under this rule will form no part of the eight years' aggregate furlough. If this

If taken for a third year consecutively, staff appointment forfeited. indulgence should be taken advantage of for a third year consecutively, the officer will lose his staff appointment unless entitled to retain it under Rule II.

XXVI.—Leave on sick certificate for a period If extended to 1 year on medical certificate reckons in the 8 years of Rule XVI. exceeding six months, capable of extension, under renewed medical certificate, to a limit of one year, may be granted to any officer who, in the opinion of a Medical Board, may require it. Leave of this nature, taken after the promulgation of these rules, will be held to constitute a part of the maximum period of eight years' leave of absence to which an officer is entitled in his entire period of service, but will not be regarded as furlough, nor will it affect the intervals entitling to furlough laid down in Rule IX. During this leave the absentee will draw a moiety of his staff salary in addition to

If extended over 1 year, reckons as furlough. the pay of his rank. But if the 12 months be exceeded, the whole leave must be reckoned as furlough, and allowances be adjusted accordingly.

XXVII.—Short leave not exceeding three months on private affairs or sick certificate, may also be allowed as heretofore. taken to sea, on the above condition, but absence from India for any longer period will be treated as furlough.

XXVIII.—All general leave taken in India counts as part of the leave reckoning against service for pension.

CHAPTER III.
Privilege Leave.

XXIX.—Privilege leave may be granted, as at present, for sixty days in each year to all officers in military employ, without deduction from the salaries and emoluments drawn by them.

When extended. General leave, in extension of privilege leave, can only be granted on the ground of sickness, or some other serious emergency which could not have been foreseen when the officer proceeded on privilege leave. Privilege leave may, however, be converted into general leave with the sanction of the Commander-in-Chief or the Government.

XXX.—In the case of the stations noted in 90 days allowed from certain stations. the margin, privilege leave may, as at present, be granted for

Assam.	Bunnoo.
Shillong.	Dera Ismael Khan.
Erinpoora.	Dera Ghazee Khan.
Deolee.	Rajapore.
Khairwara.	Jacobabad.
Khotra.	

ninety days to officers of local Corps, or of Corps which are usually employed in one or other of the districts named.

XXXI.—An officer is at liberty to proceed wherever he may desire on privilege leave, provided he can ensure his return before the expiration of his leave.

XXXII.—Privilege leave cannot be taken in Must be apart continuation of furlough, nor from furlough or can furlough be obtained in other leave. continuation of privilege leave. If furlough be obtained by an officer while absent on privilege leave, the privilege leave will be converted into general leave, the officer for that period sacrificing a moiety of his staff salary.

Military Officers in Civil Employ.

XXXIII.—Those Military Officers (including Warrant Officers who hold Honorary, Veteran, or Unattached Commissions) in Civil or Political

employ who may elect these rules when they take leave in India come, as respect periods of leave obtainable and amount of pay to be granted, under the Civil leave rules. When they take leave out of India, they come under the Military leave rules.

For preparatory or subsidiary leave, see Note (4) of Rule XVIII.

Subsidiary Rule.

XXXIV.—Officers of the Indian Military and Medical Services will be required to elect generally to notify their intention to accept these rules, or to adhere to those now existing, on the first occasion of their taking furlough or general leave after the publication of this order. Such election must be considered final, and under no plea whatever will an officer be subsequently relieved from the choice thus made.

§2. Officers going home under these Rules will pay English rates of subscription only to the Military Fund during furlough.

§3. Officers who may determine to abide by existing rules, will be allowed to those who elect to proceed on furlough on the existing rules. conditions laid down in Rules VII, VIII and XIII, to the extent to which they may be entitled under the Furlough Regulations of 1854, or of 1796, whichever of the two they may have elected, and on the rates of pay contemplated in those Regulations, but retaining their appointments. The principle laid down in Rule XV must, however, be applied in those cases.

§4. If an officer under the Furlough Rules of 1796 elects the present rules, his service for pension will be reckoned under the former rules up to 1st July 1868, and thenceforward under the rules of 1868; and the fact of the officer having been on furlough on 1st July 1868 and not then having elected the rules of 1868, will not affect the case. All periods of leave out of Indian limits taken previous to 1st July 1868, will be wholly excluded from his service for pension; but he may reckon towards pension periods of leave taken subsequent to that date, according to the length of his service counting for pension, as shewn in Rule XXIII.

His election of these Furlough Rules in no way affects his right to *retire* under 1796 Rules not the Pension Rules of 1796. affected.

No. 172 of 1874.—The under-mentioned Officers are permitted to proceed to Europe on furlough on private affairs:—

Surgeon Edward Barton Gardner, of the Medical Department, in medical charge, 29th (Punjab) Regiment of Native Infantry,—for two years, under the Regulations of 1868.

Major Thomas James Watson, of the Bengal Staff Corps, 2nd in Command and Squadron Officer, 17th Bengal Cavalry,—for two years, under the Regulations of 1868.

Captain Henry Bristow Sanderson, of the Bengal Staff Corps, Cantonment Magistrate, Cawnpore, North-Western Provinces,—for two years, under the Regulations of 1868.

No. 173 of 1874.—The following extract from List No. 3, dated 30th January 1874, of Military

Officers of the Bengal Establishment, permitted to return to duty and granted extensions of leave received from the India Office, is published for general information:—

Permitted to return—

Colonel F. Alexander.
Lieutenant-Colonel G. W. Fraser.
Major F. V. Eyre, R. A.
Captain C. A. E. S. Carter.
Major J. E. B. Parsons.
Captain A. Mc C. Bruce.
Captain W. T. Stuart.
Captain T. Dawes.
Captain W. A. J. Wallace, R. E.
Captain H. S. Ruxton.
Captain G. R. Hennessy.
Surgeon Major E. Taylor.
Surgeon A. H. Williams.

Granted extensions of leave—

Colonel W. R. Elliott, six months, sick certificate.
Colonel A. D. Dickens, c. b., six months, sick certificate.
Major F. B. Foote, six months, on sick certificate.
Major M. M. Procter, six months, on sick certificate.
Major G. S. Hills, R. E., six months, on sick certificate.
Captain W. J. W. Muir, six months, on sick certificate.
Lieutenant G. T. Morris, six months, on sick certificate.
Surgeon Major J. Fayer, c. s. i., six months, on sick certificate.
Surgeon D. P. Palmer, six months, on sick certificate.

No. 174 of 1874.—3rd Class Hospital Assistant Abdoolah passed his English qualification examination according to the test laid down in G. G. O. No. 945 of the 7th October 1868, on the 6th February 1874.

No. 175 of 1874.—Lieutenant Edward Alexander Thurburn, of the Calcutta Volunteer Lancers, is allowed leave of absence to proceed to England for ten months, from the 15th February 1874.

No. 176 of 1874.—Jumeet Sing, father of the late Sepoy Ram Sing, of the 42nd (Assam) Regiment of Native (Light) Infantry, is admitted to the Native Family Pension Establishment and allowed a pension of Rs. 2-12 per mensem, for twelve years, from the 9th March 1872.

The stipend will be disbursed in the Punjab Circle of payment.

No. 177 of 1874.—The following promotion is made in the under-mentioned Corps of the Punjab Frontier Force:—

4th Sikh Infantry.

Havildar Pir Buksh to be Jemadar from the 29th November 1873, *vice* Sawun Khan, deceased.

The 26th February 1874.

No. 178 of 1874.—The under-mentioned widows are admitted to pension, equal to that conferred by the Order of Merit on their late husbands, for three years, commencing from the date of the casualty:—

NAME.	Rank, Name, and Corps of Deceased.	Date of Admission.	Class of Order of Merit.	Circle of Payment.
Soogundah ...	Jemadar Buctawer Panday, 33rd (The Allahabad) Regiment of Native Infantry.	Nov. 1, 1866	3rd Class	N. W. P.
Bebee Bunnoo ...	Naick Shaick Futtah Mahomed, 4th Cavalry, 5th Battalion, Artillery.	Oct. 13, 1872	Ditto	Presidency.
Sharee Begum ...	Ressaldar Dadishere Khan, 19th Bengal Lancers.	April 25, 1871	Ditto	N. W. P.
Goomanee Begum ...	Bessadar Munsudar Khan, 2nd Bengal Cavalry.	Mar. 17, 1872	Ditto	Ditto.
Lutchmee ...	Naick Girjatud Tewarry, 31st (Panjab) Regiment of Native Infantry.	May 10, 1872	Ditto	Ditto.
Airaowtee ...	Subadar Roghoobeer Thappa, 42nd (Assam) Regiment of Native (Light) Infantry.	Oct. 12, 1865	Ditto	Presidency.
Aghoni ...	Subadar Mundur Khewas, 42nd (Assam) Regiment of Native (Light) Infantry.	July 30, 1873	Ditto	Ditto.

* Limited to 2 years' arrears only.

No. 179 of 1874.—Captain Charles John Connew, of the Calcutta Volunteer Rifle Corps, is allowed leave of absence for nine months, to proceed to Europe on medical certificate, from the 12th March 1874.

No. 180 of 1874.—The under-mentioned Native Non-Commissioned Officers and men of the Mhairwarra Battalion are transferred to the Invalid Pension Establishment, on the stipends entered opposite their respective names, with effect from the date they may have been struck off the strength of the Battalion:—

Rank.	Name.	In what rank pensioned.	Amount of Pension.	Circle of Payment.
Havildar ...	Bunna Eenda	Havildar ... Do.	7 0 0 7 0 0	N. W. Provinces Do.
Ditto ...	Geana	Do. Sepoy	4 0 0 4 0 0	Do. Do.
Ditto ...	Buxa	Do.	4 0 0	Do.
Sepoy ...	Jeyta (1)	Do.	4 0 0	Do.
Ditto ...	Bazee Lall	Do.	4 0 0	Do.
Ditto ...	Dhokull	Do.	4 0 0	Do.
Ditto ...	Kulla (1)	Do.	4 0 0	Do.
Ditto ...	Futtah	Do.	4 0 0	Do.
Ditto ...	Buna	Do.	4 0 0	Do.

No. 181 of 1874.—The services of Captain J. E. Toller, of the Royal Engineers, are placed at the disposal of the Public Works Department.

No. 182 of 1874.—The under-mentioned Officers are promoted to the rank of Colonel by Brevet, from the dates specified, under the operation of Clause 8 of the Royal Warrant of the 31st January 1859, subject to Her Majesty's approval:—

Lieutenant Colonel William Gray, Bombay Staff Corps,—9th November 1873.

Lieutenant Colonel John Alexander Matthew Macdonald, Bombay Staff Corps,—24th December 1873.

No. 183 of 1874.—The under-mentioned Officer is promoted to the rank of Colonel by Brevet, from the date specified, under the operation of Clauses 8, 9 and 10 of the Royal Warrant of the

31st January 1859, subject to Her Majesty's approval:—

Lieutenant Colonel Thomas Nuttall, Bombay Staff Corps,—3rd December 1873.

No. 184 of 1874.—Jemadar Punjab Sing, of the 39th (The Allygurh) Regiment of Native Infantry, declared unfit for further service, is transferred to the Invalid Pension Establishment on the pension of his rank, with effect from the date on which he may be struck off the strength of the Corps.

The stipend will be disbursed in the Punjab Circle of payment.

The 27th February 1874.

No. 185 of 1874.—The under-mentioned Officers of the Staff Corps, having completed five years' service as substantive Lieutenant Colonel, are promoted to the rank of Colonel by Brevet, from the dates specified, under the operation of the Royal Warrant, dated 16th January 1861, Clause 2, subject to Her Majesty's approval:—

Lieutenant Colonel George Scougall Macbean, Bengal Staff Corps,—22nd February 1874.

Lieutenant Colonel George Delane, Bengal Staff Corps,—22nd February 1874.

Lieutenant Colonel Edmund David Russell Ross, Bengal Staff Corps,—22nd February 1874.

Lieutenant Colonel Edward Smalley, Bengal Staff Corps,—22nd February 1874.

Lieutenant Colonel John Irwin Willes, Bengal Staff Corps,—22nd February 1874.

Lieutenant Colonel James Puckle, Madras Staff Corps,—25th February 1874.

Lieutenant Colonel John Baillie, Bengal Staff Corps,—25th February 1874.

No. 186 of 1874.—The under-mentioned Officer of the Bengal Staff Corps, having completed 20 years' service, is promoted to the rank of Major, from the date specified, under the provisions of G. G. O. No. 808 of the 26th September 1866, subject to Her Majesty's approval:—

Captain George Robertson Hennessy,—4th February 1874.

No. 187 of 1874.—The under-mentioned Officers having completed twelve years' service, including four years in the Staff Corps, are promoted to the rank of Captain, from the dates specified, under the Royal Warrant of the 16th January 1861, subject to Her Majesty's approval:—

Bengal Staff Corps.

Lieutenant (Brevet Captain) Charles Denroche Swete,—3rd February 1874.

Lieutenant George Brehon,—25th February 1874.

No. 188 of 1874.—The following promotions by Brevet is made, from the date specified, under the operation of G. G. O. No. 632 of the 4th August 1864, paragraph 69, subject to Her Majesty's approval:—

BREVET.—To be Captain.

Lieutenant Robert Bartholomew, General List, Cavalry, 20th February 1874.

No. 189 of 1874.—His Excellency the Governor General in Council is pleased to make the following appointment:—

Brigadier General W. Olpherts, C. B., V. C., Commanding Rohilkund District, to the Divisional Staff of the Army, temporarily, dur-

ing the absence on leave to Europe on medical certificate of Major General Sir H. Tombs, K. C. B., v. c., or until further orders.

No. 190 of 1874.—The following Act, No. XIV of 1873, regarding the disposal of the effects of insane Officers and Soldiers, is republished for general information:—

ACT NO. XIV OF 1873.

PASSED BY THE GOVERNOR GENERAL OF INDIA IN COUNCIL.
(Received the assent of the Governor General on the 11th September 1873.)

An Act to provide for the security and application of the effects of Officers and Soldiers becoming insane on service, but not removed, put on half-pay, or discharged.

WHEREAS it is expedient to provide for the security and application of the effects of Officers and Soldiers becoming insane on service, but not removed, put on half-pay, or discharged; It is hereby enacted as follows:—

Short title. 1. This Act may be called “The Lunatic Soldiers’ Property Act, 1873.”

It extends to the whole of British India, and, so far as regards subjects of Her Majesty, to the dominions of Native Princes and States in India in alliance with Her Majesty;

Commencement. And it shall come into force on the passing thereof.

Interpretation-clause. 2. In this Act—
“Officer” means a Commissioned Officer of Her Majesty’s Army, or of Her Majesty’s Indian Army; and

“Soldier” means a Soldier of Her Majesty’s Army, or a European Soldier of Her Majesty’s Indian Army, including a Warrant and a Non-Commissioned Officer.

3. When an Officer or Soldier becomes insane on service, but is not removed, put on half-pay, or discharged, on the ground of insanity, such Committee of Officers as the Governor General in Council may from time to time prescribe, shall immediately secure all such of his effects as are within the territories to which this Act extends.

4. Such effects shall be liable to be applied in or towards payment of any expenses necessarily incurred in the maintenance and removal of such Officer or Soldier to any place in India, and of any such expenses and debts incurred and owing by him as would, under Part I of the Regimental Debts’ Act, 1863, be preferential charges on his moveable property in case he had died on service, with the like preference, in the like order, and subject to the like provision for decision of doubt or difference, as would in that case apply, as nearly as may be, *mutatis mutandis*.

5. If any person who would, if such Officer or Soldier were dead, be entitled to take out representation to him (otherwise than as a creditor), or his wife (if any), or any near relative, pays in full the expenses and debts aforesaid, the said Committee shall not further interfere in relation to the property.

6. If such payment is not made, then, within one month after the insanity is known at the quarters where Committee the property is, the said Committee may sell and convert into money such part of the property as they think fit,

and, after paying out of the proceeds the expenses attending the discharge of their duties, shall pay thereout the expenses and debts aforesaid, and shall dispose of any property then remaining in their hands in such manner as may from time to time be prescribed by the Governor General in Council, or by such Officer as he appoints in this behalf, to the end that the same may be applied for the benefit of the Officer or Soldier to whom it belongs.

7. Every payment or application of money, Validation of pay- and every sale or other dis- sition of property, made by positions by Com- any Committee in pursuance mittee. of this Act, shall be valid as against all persons whomsoever.

And every Officer belonging to any such Committee shall be discharged from Indemnity. all liability in respect of the money or other property so paid, applied or disposed of.

8. The Governor General in Council may, from time to time, prescribe such regulations as may seem fit for the better execution of any of the purposes of this Act.

With reference to the above, the Governor General in Council is pleased, in the exercise of the powers conferred on him by “the Lunatic Soldiers’ Property Act, 1873,” to direct, that Committees for the purposes of the said Act shall be composed and appointed in the same manner as Committees of Adjustment under Clause 33 of the Regulations annexed to the Royal Warrant made on the 30th September 1864 under the Regimental Debts’ Act, 1863, and shall be guided in their proceedings by Clause 34 of the said regulations, in so far as the same may be found applicable.

Whenever such Committee may have, in the exercise of the discretion allowed them by Section 6 of the said “Lunatic Soldiers’ Property Act, 1873,” reserved from sale any portion of the lunatic’s property, they shall make a special report of the matter to the Military Secretary to the Government of the Presidency in which such property is situated, and shall be guided by such instructions as they may thereupon receive from him regarding the disposal of such property.

No. 191 of 1874.—The following Administrative Battalion Order issued to the Calcutta Volunteer Lancers, is confirmed:—

Dated the 24th February 1874.—Making the following promotions:—

Lieutenant Frederick Aitchison to be Captain, vice Captain Johnstone Smith, who is permitted at his own request to resign his appointment.

Troop Serjeant Major Henry Millet* to be Captain, vice Captain Charles Sanderson, who is permitted at his own request to resign his appointment.

* Subject to his passing an examination in drill.

No. 192 of 1874.—Lieutenant Charles John Wilkinson is at his own request permitted to resign his appointment in the Calcutta Volunteer Lancers.

No. 193 of 1874.—The under-mentioned Warrant Officer is allowed furlough to Europe on medical certificate:—

Deputy Commissary and Honorary Lieutenant William Pritchard, Store-keeper, Army Clothing Agency, Alipore,—for nine months.

No. 194 of 1874.—The services of Surgeon C. T. Peters, M. B., of the Bombay Medical Department, are placed temporarily at the disposal of the Foreign Department.

H. K. BURNE, Colonel,
Secy. to the Govt. of India.

MILITARY DEPARTMENT.

NOTIFICATION.

Fort William, the 27th February 1874.

Under Clause 26 of the Regulations appended to the Regimental Debts Act of 1863, it is notified that reports of the deaths of the under-mentioned Commissioned and Warrant Officers on the dates specified, were received in the Military Department from 3rd to 27th February 1874:—

Corps.	Rank and Names.	Date of Decease.	Place of Decease.	Testate or Intestate.
Bengal Staff Corps...	Lieut. J. D. Hallett	Jan. 23, 1874	Feroze-pore.	Intestate*
Medical Department	Surgn. R. Deacon	„ 29, 1874	Hazaree-baugh.	Testate
Ditto	Surgn. Major A. F. Richmond.	Feb. 16, 1874	Buxa,	Testate
Ordnance Department	Condr. J. Callow ...	„ 9, 1874	Bhootan	Testate
			Fort William.	

* Lieutenant Colonel C. E. Hallett administering.

H. K. BURNE, Colonel,
Secretary to the Govt. of India.

MILITARY DEPARTMENT.

ESTATE NOTIFICATION.

Fort William, the 27th February 1874.

H. P. Hurford, Major, Her Majesty's 85th Foot, died 20th November 1873, at Meerut, Intestate—Rupees 472-14-3 deposited on the 24th February 1874. All claims against the above Estate must be submitted before the 27th April 1874.

H. K. BURNE, Colonel,
Secretary to the Govt. of India.

PUBLIC WORKS DEPARTMENT.

NOTIFICATIONS.—ESTABLISHMENT.

Fort William, the 21st February 1874.

No. 107.—The services of Mr. T. Vanstavern, Executive Engineer, 2nd Grade, Central Provinces, are placed temporarily at the disposal of the Government of Madras, Public Works Department.

No. 108.—Public Works Department Notification No. 681 of the 28th October 1873, dispensing with the services of Mr. G. E. Abbott, temporary Assistant Engineer, 3rd Grade, Irrigation Branch, Bengal, is cancelled.

The 23rd February 1874.

No. 109.—Mr. A. Hall, Overseer, 3rd Grade, Delhi District, Rajpootana (State) Railway, is permitted to resign his appointment in the Public Works Department.

No. 110.—Mr. W. de W. Peel, Assistant Engineer, 2nd Grade, is transferred from Bengal to the Northern Bengal (State) Railway.

The 24th February 1874.

No. 111.—Major F. S. Stanton, R. E., Engineer-in-Chief of the Delhi District of the Rajpootana State Railway, is transferred temporarily to the Tirhoot Railway for special duty.

No. 112.—Mr. J. R. Swinden is appointed to the Public Works Department as an Engineer Apprentice, and posted to Bengal Irrigation Branch.

No. 113.—Mr. E. G. J. McCudden, Assistant Engineer, 2nd Grade, Rajpootana, passed the colloquial examination in Hindustani, on the 25th December 1873.

No. 114.—Mr. G. Corstorphine, Probationary Accountant, 2nd Grade, attached to the Office of Examiner, Guaranteed Railway Accounts, Lahore, is confirmed in his appointment.

No. 115.—Mr. H. W. Warden, Assistant Engineer, 2nd Grade, Delhi District, Rajpootana State Railway, passed the colloquial examination in Hindooostani, on the 16th instant.

The 25th February 1874.

No. 116.—Sergeant D. Gunning, Supervisor, 2nd Grade, Oudh, is transferred to the North-Western Provinces, Irrigation Branch.

Lance Corporal C. Lewis, Overseer, 1st Grade, North-Western Provinces, Irrigation Branch, is transferred to Bengal Provincial Establishment.

The 26th February 1874.

No. 117.—Mr. E. N. Homan, Storekeeper, 1st Grade, is transferred from the Punjab Northern (State) Railway and placed in charge of the stores of the Holkar and Neemuch (State) Railways.

No. 118.—That portion of Public Works Department Notification No. 779 of 16th December 1873, which relates to the transfer from Oudh to Bengal of Overseers Chokay Lall, Mirza Akber Beg, and Goluck Nath Sen, is cancelled.

The 27th February 1874.

No. 119.—Captain C. S. Beauchamp, R. E., Assistant Engineer, 1st Grade, and 2nd Assistant Principal, Thomason College, Roorkee, is transferred to the Provincial Branch of the Public Works Department, North-Western Provinces, as Executive Engineer, 4th Grade.

No. 120.—Mr. C. P. O'Rafferty, Assistant Engineer, 1st Grade, is transferred from the Delhi District, Rajpootana (State) Railway, to the Neemuch State Railway.

No. 121.—The following transfers are made:—

Sergeant S. W. Grant, Supervisor, 1st Grade, from the Irrigation Branch, North-Western Provinces, to the Military Works Branch.

Lance Corporal W. R. Williams, Overseer, 1st Grade, from the Military Works Branch to the Irrigation Branch, North-Western Provinces.

C. H. DICKENS, Colonel, R. A.,
Secy. to the Govt. of India.



The Gazette of India.

Published by Authority.

CALCUTTA, SATURDAY, MARCH 7, 1874.

Separate paging is given to this Part in order that it may be filed as a separate compilation.

CONTENTS.

PART I.—Government of India Notifications, Appointments, Promotions, Leave of Absence, General Orders, Rules and Regulations.

PART II.—Notifications by High Court, Comptroller General, Administrator General, Paper Currency Dept., Presidency Pay Master, Money Order Department, Mint Master, Secretary and Treasurer, Bank of Bengal, Supdt. of Government Printing, and other Government Officers, Postal, Telegraph, and Commissariat Notices.

PART III.—Advertisements and Notices by private Individuals and Corporations.

PART IV.—Acts of the Governor General's Council assented to by the Governor General:—

The Married Women's Property Act, 1874.
The Foreign Recruiting Act, 1874.

PART V.—Bills introduced in the Council of the Governor General for making Laws and Regulations, or published under Rule 22:—

Assam Chief Commissioner's Powers Bill.

SUPPLEMENT NO. 10.

PART I.

Government of India Notifications, Appointments, Promotions, &c.

HOME DEPARTMENT.

NOTIFICATIONS.—PUBLIC.

Fort William, the 5th March 1874.

No. 58.—In consequence of the departure on furlough of Mr. J. H. Fisher, B. C. S., Officiating Deputy Commissioner, 3rd Class, in the Central Provinces, the following temporary promotion is made by His Excellency the Governor General in Council:—

Captain W. Vertue, Assistant Commissioner, 2nd Class, and Officiating Assistant Commissioner, 1st Class, to officiate as Deputy Commissioner, 4th Class, from the date on which he may have received charge of the Bhandara District.

The 6th March 1874.

No. 61.—Messrs. C. C. Quinn, and F. H. McLaughlin, of the Bengal Civil Service, have been granted by Her Majesty's Secretary of State for India extensions of leave for six months on medical certificate.

No. 64.—The following temporary arrangements in the Central Provinces' Commission are sanctioned by the Governor General in Council with effect from the 25th December 1873:—

Mr. T. Drysdale, Registrar, Judicial Commissioner's Court, to officiate as Assistant Commissioner, 1st Class.

Captain E. W. C. H. Miller, Officiating Assistant Commissioner, 1st Class, to revert to his

officiating appointment of Assistant Commissioner, 2nd Class.

Captain H. H. H. Hallet, Officiating Assistant Commissioner, 2nd Class, to revert to his substantive appointment of Assistant Commissioner, 3rd Class.

Mr. Aulad Hussain, Officiating Assistant Commissioner, 2nd Class, to revert to his substantive appointment of Assistant Commissioner, 3rd Class, with effect from the 16th December 1873.

No. 66.—In continuation of Home Department Notification No. 380, dated the 6th ultimo, it is hereby notified that Colonel R. H. Keatinge, V. C., C. S. I., assumed charge of the office of Chief Commissioner of Assam in the forenoon of the 7th idem.

JUDICIAL.

The 4th March 1874.

No. 342.—It is hereby notified that the Secretary of State for India has, by Resolution in Council, declared the provisions of the 1st Section of an Act passed in the 33rd year of Her Majesty's reign, Chapter 3, entitled "an Act to make better provision for making Laws and Regulations for certain parts of India and for certain other purposes relating thereto," to be from the 1st day of February 1874 applicable to the tract of country in the District of Mirzapore called Tuppah Chourassee, in the territories under the Government of the Lieutenant-Governor of the North-Western Provinces.

The 6th March 1874.

No. 353.—HIS EXCELLENCY THE GOVERNOR GENERAL IN COUNCIL has received with great regret official intimation of the death of the Hon'ble Dwarka Nath Mitter, one of the Judges of Her Majesty's High Court at Fort William. The Chief Justice and the Judges of the High Court have expressed to the Government of India their unanimous opinion that, by the death of their colleague, the country has been deprived of a most learned, upright, able and independent Judge.

POLICE.

The 6th March 1874.

No. 75.—Mr. E. A. Hobson, of the Berar Revenue Survey Department, is temporarily appointed an Assistant Superintendent of the 4th Grade in the Police of the Hyderabad Assigned Districts.

A. C. LYALL,
Secy. to the Govt. of India.

**DEPARTMENT OF
AGRICULTURE, REVENUE AND
COMMERCE.**

NOTIFICATION.—SURVEYS.

Fort William, the 5th March 1874.

No. 138.—Dr. T. Oldham, Superintendent of the Geological Survey of India, has been granted, by Her Majesty's Secretary of State for India, an extension of leave, on medical certificate, for six months, in continuation of the leave notified in the orders of Government, No. 220, dated the 25th March 1873.

A. O. HUME,

Secy. to the Govt. of India.

FOREIGN DEPARTMENT.

NOTIFICATIONS.—REVENUE.

Fort William, the 6th March 1874.

No. 50 R.—The following Regulation is published for general information:—

Punjab Frontier Regulation, No. 10.

Whereas the Secretary of State in Council has, by resolution in Council, declared the provisions of the thirty-third of Victoria, Chapter three, applicable to the districts of Hazára, Pesháwar, Kohát, Bannú, Derah Ismail Khán, and Derah Gházi Khán;

And whereas the Lieutenant-Governor of the Punjab has proposed to the Governor-General in Council a draft of the following Regulation, together with the reasons for proposing the same;

And whereas the Governor-General in Council has taken such draft and reasons into consideration, and such draft has been approved of by the Governor-General in Council, and has received the Governor-General's assent:

In pursuance of the direction contained in the 1st Section of the said thirty-third of Victoria, Chapter three, the said draft is now published in the *Gazette of India* and will be published in the Local *Gazette*, and will thereupon have the force of law:—

1. This Regulation may be called "The Hazára Settlement Rules Amendment Regulation." It extends to the District of Hazára only.

2. The third, fourth and fifth of the Rules entitled Hazára Settlement Rules, and set forth in Clause 13 of the Punjab Regulation, published in Foreign Department Notification, No. 31P., dated 5th January 1872, shall be repealed.

3. Act IX. of 1871 (the Indian Limitation Act, 1871,) shall have the same force in the district of Hazára as in the other districts of the Punjab.

4. Nothing hereinbefore contained applies to claims instituted under the Hazára Settlement Rules before the date on which this Regulation comes into force or admissible under the 64th of the said Rules.

5. On and from the date on which this Regulation comes into force, Nos. 49 to 53 of the said Rules, both inclusive, shall be repealed.

MILITARY.

The 5th March 1874.

No. 28 M.—PROMOTION.—The following promotion is made in the Meywar Bheel Corps, with effect from 1st January 1874:—

Havildar Homa to be Jemadar, *vice* Jemadar Bhaneea, deceased.

POLITICAL.

The 5th March 1874.

No. 576 P.—With reference to Notification No. 288 P. of the 29th January last, M. Le Comte de Chappedelaine is recognized by His Excellency the Viceroy and Governor General in Council as *Consul* for France at Bombay, and not as *Acting Consul*.

The 6th March 1874.

No. 591P.—His Excellency the Viceroy and Governor General in Council is pleased to recognize the appointment of Major Captain Runjung Bahadur Koonwar Rana, as the Representative of His Highness the Maharaja of Nipal at Calcutta.

No. 593P.—With reference to Notifications Nos. 2775P., 2778P. and 2781P. of the 11th December last, Her Majesty's Government has confirmed the recognition, by the Government of India, of Mr. Livingstone Barclay as Acting Consul at Akyab for Sweden and Norway, Denmark and the Netherlands.

GENERAL.

The 5th March 1874.

No. 531G.—Captain F. H. Maitland, Political Assistant of the 2nd Class, and Officiating 2nd Assistant to the Governor General's Agent for Central India, officiated as Deputy Opium Agent in Malwa from the 8th December 1873 to the 22nd January 1874, both days inclusive, during the absence on other duty of Lieutenant Barr.

The 6th March 1874.

No. 536G.—APPOINTMENT.—Major A. G. D. Logan, Assistant Commissioner of the 2nd Class in the Mysore Commission, to officiate as Assistant Commissioner of the 1st Class, with effect from the 16th September 1873, *vice* Major A. W. C. Lindsay, employed on other duty.

No. 538G.—Colonel J. Watson, c. b., v. c., delivered over, and Major General H. D. Daly, c. b., received, charge of the Office of Agent to the Governor General for Central India on the forenoon of the 1st instant.

C. U. AITCHISON,
Secy. to the Govt. of India.

FINANCIAL DEPARTMENT.

NOTIFICATIONS.—ACCOUNTS.

Fort William, the 28th February 1874.

No. 1500.—Cash Balances in the Government Treasuries in India on the last day of the month of January 1874, compared with those on the same date in 1873 and 1872:—

	January 1872.	January 1873.	January 1874.
	Rs.	Rs.	Rs.
Govt. of India	4,49,52,342	2,02,05,834	3,10,22,831
Bengal	2,12,77,826	2,63,97,091	1,99,04,940
British Burmah	26,23,504	20,28,920	23,38,260
N. W. Provinces	2,92,46,124	2,83,71,281	2,49,13,572
Oudh	57,44,680	84,05,022	58,17,896
Punjab	1,56,37,794	1,24,96,717	1,20,15,630
Bombay	6,07,84,098	4,58,18,637	2,77,49,766
Central Provinces	79,41,412	95,33,679	74,89,818
Madras	2,51,69,488	2,98,89,452	2,46,77,160
TOTAL	21,33,77,268	18,31,46,633	15,59,29,873

MINT AND CURRENCY.

The 6th March 1874.

No. 1589.—Statement of the amount of Government Currency Notes in circulation, of the amount of Coin and Bullion Reserve, and Government Securities held by the Department of Issue of Paper Currency:—

DATE.	Circles of Issue.	Balance of Issue Account.		Retired by other Offices of Issue.	Currency Notes in Circulation.	Silver Coin Reserve.	Silver Bullion Reserve.	Gold Bullion Reserve.	Reserve in Government Securities.	Total Reserve.
		Rs.	Rs.							
28th February 1874	Calcutta	4,75,23,175	6,16,170	4,69,07,006	43,70,220	54,83,488	72,495	2,62,74,402	3,62,00,805	
Ditto	Madras	1,27,68,970	29,03,975	98,64,995	65,71,526	1	...	58,28,463	1,23,99,990	
Ditto	Bombay	2,52,54,390	23,89,470	2,28,64,920	83,30,193	31,71,593	...	1,23,85,209	2,38,86,995	
Ditto	Allahabad	89,42,045	45,67,015	43,76,030	41,89,079	...	...	46,03,291	87,92,370	
Ditto	Lahore	52,87,810	11,44,540	41,43,270	11,46,093	...	...	32,00,037	43,45,130	
Ditto	Calicut	24,04,140	2,14,180	21,89,960	12,42,156	...	...	10,90,059	22,42,315	
Ditto	Coconada	8,69,615	1,82,750	6,78,555	2,63,491	...	...	4,00,059	6,63,550	
Ditto	Nagpore	41,36,805	8,48,600	32,88,306	26,02,233	...	...	12,47,902	37,60,135	
Ditto	Kurrachee	32,36,505	18,42,975	13,93,530	11,66,399	...	...	20,00,106	31,66,605	
Ditto	Akola	14,11,060	2,59,340	11,61,710	14,08,086	...	...	...	14,08,085	
TOTAL		11,18,24,495	1,49,68,915	9,68,55,580	3,11,88,475	88,55,082	72,495	5,68,39,628	9,68,55,580	

SEPARATE REVENUE.—OPIUM.

The 5th March 1874.

No. 1588.—Opium Revenue to date compared with the Estimate for the year 1873-74.

PRESIDENCY.	LATEST MONTH.				TWELVE SALES OF BENGAL OPIUM AND ELEVEN MONTHS' DUTY ON MALWA OPIUM.			
	Estimate.	Actual.	Better than Estimate.	Worse than Estimate.	Estimate.	Actual.	Better than Estimate.	Worse than Estimate.
			£	£			£	£
Bengal	450,000	460,978	10,978	...	5,180,000	5,411,760	281,760	
Bombay	177,174	157,740	...	19,434	2,027,962	2,493,600	465,638	
TOTAL	£ 627,174	£ 618,718	...	8,456	7,157,962	7,905,360	747,398	

SEPARATE REVENUE.—STAMPS.

The 6th March 1874.

No. 1511.—In exercise of the powers conferred by section 35 of the Court Fees' Act, VII of 1870, the Governor General in Council is pleased to remit the whole of the fees chargeable under schedule I of the said Act, on plaints in summary suits brought before Collectors under Madras Act No. VIII of 1865.

R. B. CHAPMAN,

Sezy. to the Govt. of India.

MILITARY DEPARTMENT.

Fort William, the 28th February 1874.

No. 195 of 1874.—The services of Captain De L. R. F. Wooldridge, of the 14th Foot, Officiating Brigade Major, Fort William, are placed temporarily at the disposal of the Government of Bengal.

The 2nd March 1874.

No. 196 of 1874.—Radha Kissen, Local Student of the Lahore Medical School, having passed the prescribed examination, is admitted into the service as a Hospital Assistant of the 3rd Class, and placed at the disposal of the Surgeon General, Indian Medical Service.

No. 197 of 1874.—His Excellency the Governor General in Council is pleased to make the following appointment:—

Captain (Brevet Major) J. O. Travers, of the 1st Battalion, 17th Foot, to be a Brigade Major on the Establishment, in succession to Captain G. Marriner, who vacates on proceeding to England with his Regiment, the 58th Foot.

No. 198 of 1874.—The following Regimental Order issued to the Calcutta Volunteer Rifle Corps, is confirmed, subject to the Officer passing an examination in drill:—

Dated the 24th February 1874—Making the following appointment:—

Color Sergeant William Edward Creaton, to be Ensign, *vice* Ensign C. Halford, who is permitted, at his own request, to resign his appointment.

No. 199 of 1874.—The G. G. O. No. 1004 of 1873, granting furlough to Europe to Major J. L. Watts, of the Royal Engineers, is hereby cancelled.

The 4th March 1874.

No. 200 of 1874.—It is hereby notified that all the public followers mentioned in the 2nd Indian Article of War who are attached to Regiments, Corps and Batteries of the Bengal Army, will (with the exception of hospital assistants) be verbally attested.

2. The above article applies to those public followers only who are attached to Regiments, Corps and Batteries, and to Lascars of the Ordnance Department.

No. 201 of 1874.—His Excellency the Governor General in Council is pleased to make the following appointment:—

PUNJAB FRONTIER FORCE.

4th Punjab Infantry.

Captain A. J. D. Hawes, Wing Officer, to be 2nd in Command and Wing Officer, *vice* Captain W. Snow, deceased.

No. 202 of 1874.—The services of Lieutenant J. Burne, of the Bengal Staff Corps, 2nd Wing Subaltern and Officiating Quartermaster, 2nd Sikh Infantry, Punjab Frontier Force, are placed temporarily at the disposal of the Government of the Punjab in the Civil Department.

No. 203 of 1874.—Under the provisions of the Royal Warrant of the 21st December 1871, and in consequence of the death on the 30th September 1873, and 6th October 1873, respectively, of Colonels W. H. Ryves, Bengal Staff Corps, and J. Kitson, Madras Staff Corps, whose names are borne on the Indian Gradation List of Major Generals, the names of—

Colonel H. Ramsay, c. b., Bengal Staff Corps, and Colonel A. Boyd, Bengal Staff Corps, are placed on the list of Major Generals; those of—

Major (Lieutenant Colonel in Madras Staff Corps) M. K. Bourne and Major (Lieutenant Colonel in Bengal Staff Corps) E. G. Clark, on the list of Lieutenant Colonels; and those of—

Captain St. G. Caulfeild, Madras Staff Corps, Captain E. W. Trevor, Bombay Staff Corps, on the list of Majors on the Indian Gradation List.

No. 204 of 1874.—Under the provisions of the Royal Warrant of the 21st December 1871, and in consequence of the death of Lieutenant General G. Hicks, c. b., Bengal Infantry, on the 24th October 1873, the name of—

Major General D. Pott, Bengal Staff Corps, is placed on the list of Lieutenant Generals; that of—

Colonel R. C. Lawrence, Bengal Staff Corps, on the list of Major Generals; that of—

Major W. H. Newport, Bombay Staff Corps, on the list of Lieutenant Colonels; and that of—

Captain J. W. Watson, Bombay Staff Corps, on the list of Majors, on the Indian Gradation List.

No. 205 of 1874.—Under the provisions of the Royal Warrant of the 21st December 1871, and in consequence of the death of General G. Tomkyns, Bengal Infantry, on the 16th November 1873, the name of—

Colonel H. Nicoll, Bengal Staff Corps, is placed on the list of Major Generals, and that of—

Major (Lieutenant Colonel in Madras Staff Corps) C. L. Pereira, on the list of Lieutenant Colonels, on the Indian Gradation List.

No. 206 of 1874.—Under the provisions of the Royal Warrant of the 21st December 1871, and in consequence of the death of Lieutenant Gen-

ral E. A. Cumberlege, Bengal Infantry, on the 28th December 1873, the name of—

Major General P. K. McG. Skinner, c. b., Bombay Staff Corps, is placed on the list of Lieutenant Generals; that of—

Colonel A. H. A. Hervey, Madras Infantry, on the list of Major Generals; and that of—

Major (Lieutenant Colonel in Bombay Staff Corps) G. W. Hanson, on the list of Lieutenant Colonels, on the Indian Gradation List.

No. 207 of 1874.—The following promotions are made, subject to Her Majesty's approval:—

BREVET.

Rank, Name and Corps.	To what rank promoted.	From what date.	In succession * to
Capt. Roderick George Thomas Stevenson, Bombay Cavalry.	Major	... Nov. 17, 1873	General G. Tomkyns, Bengal Infantry, deceased.
Capt. (now regimental Lieutenant Colonel) Robert Beatty, Madras Infantry.	Ditto	... Dec. 29, 1873	Lieutenant General E. A. Cumberlege, Bengal Infantry, deceased.

The 5th March 1874.

No. 208 of 1874.—His Excellency the Governor General in Council is pleased to make the following appointment:—

Colonel T. Wright, c. b., of the Bengal Staff Corps, Deputy Adjutant General to the Brigade Staff of the Army temporarily, with the rank of Brigadier General, during the period Brigadier General W. Olpherts, c. b., v. c., may be employed on the Divisional Staff of the Army, or until further orders.

No. 209 of 1874.—Major J. Graham, Deputy Assistant Commissary General, 1st Class, having returned from furlough to Europe, will officiate as Assistant Commissary General, 1st Class, with effect from the 24th February 1874.

No. 210 of 1874.—The services of Major J. Graham of the Bengal Staff Corps, Deputy Assistant Commissary General, 1st Class, and Officiating Assistant Commissary General, 1st Class, are placed temporarily at the disposal of the Department of Agriculture, Revenue, and Commerce, with effect from the 26th February 1874.

No. 211 of 1874.—His Excellency the Governor General in Council is pleased to make the following appointments in the Department of the Adjutant General:—

Colonel T. Rattray, c. b., c. s. i., 1st Assistant Adjutant General, to officiate as Deputy Adjutant General during the period Colonel T. Wright, c. b., may officiate on the Brigade Staff of the Army, or until further orders.

Lieutenant Colonel F. Eteson, Assistant Adjutant General, to officiate as 1st Assistant Adjutant General, *vice* Colonel T. Rattray, c. b., c. s. i.

Lieutenant Colonel H. F. Brooke, Assistant Adjutant General, Lahore Division, to officiate as Assistant Adjutant General at Head Quarters, *vice* Lieutenant Colonel F. Eteson.

No. 212 of 1874.—The following order, issued by the Government of Bombay, is confirmed:—

No. 90, dated 16th February 1874.—Granting leave to Europe on medical certificate to the under-mentioned officer:—

Major General Sir Henry Tombs, k. c. b., v. c., of the Royal Artillery (unattached) Com-

manding Oude Division, for six months, under the provisions of G. G. O. No. 952 of 1861.

No. 213 of 1874.—The under-mentioned Hospital Assistant passed his English qualification examination according to the test laid down in G. G. O. No. 945 of the 7th October 1868, on the 16th February 1874:—

Abdool Wahid,—date of rank 15th April 1868.

No. 214 of 1874.—The under-mentioned passed medical pupils are promoted to the grade of 3rd Class Hospital Assistant, with effect from the dates specified against their respective names:—

	Date of application to a permanent post.	Date of passing the examination in English according to the new test.
Meer Subdar Ally...	28th Jan. '74	" " "
Busheer Uddeen ...	3rd Feb. '74	" " "
Gazeeoodeen ...	11th Feb. '74	" " "

No. 215 of 1874.—The services of Surgeon K. McLeod, m. d., of the Medical Department, Secretary to the Surgeon General, Indian Medical Service, are placed temporarily at the disposal of the Government of Bengal.

No. 216 of 1874.—The services of Surgeon Major J. Duncan, m. d., of the Medical Department, are placed temporarily at the disposal of the Government of Bengal.

No. 217 of 1874.—The services of Captain E. R. Ives, of the General List, Infantry, late Officiating Wing Subaltern, 6th Infantry, Hyderabad Contingent, are replaced at the disposal of His Excellency the Commander-in-Chief, with effect from the 2nd December 1873.

No. 218 of 1874.—The under-mentioned Officers and Warrant Officer have reported their return from England:—

Major General D. Pott, of the Bengal Staff Corps, and Lieutenant Colonel (Brevet Colonel) F. W. Baugh, of Infantry,—date of arrival at Bombay, 19th February 1874.

Lieutenant Colonel (Brevet Colonel) J. Marquis, of the Bengal Staff Corps, Commandant, 17th (The Loyal Poorbeah) Regiment of Native Infantry,—date of arrival at Bombay, 19th February 1874.

Major H. DeBrett, of the Bengal Staff Corps, Wing Officer, 18th (The Alipore) Regiment of Native Infantry,—date of arrival at Bombay, 18th February 1874.

Major J. Graham, of the Bengal Staff Corps, Deputy Assistant Commissary General, 1st Class,—date of arrival at Bombay, 19th February 1874.

Captain W. J. Parker, of the Bengal Staff Corps, Assistant Commissioner, 3rd Grade, Punjab,—date of arrival at Bombay, 18th February 1874.

Captain R. M. Jennings, of the General List, Cavalry, 2nd Squadron Officer, 6th Bengal Cavalry,—date of arrival at Bombay, 19th February 1874.

Captain T. Dawes, of the Bengal Staff Corps, Adjutant, 17th (The Loyal Poorbeah) Regiment of Native Infantry,—date of arrival at Bombay, 19th February 1874.

Captain C. J. Garstin, of the Bengal Staff Corps, Assistant Commissioner, North-Western Provinces,—date of arrival at Bombay, 19th February 1874.

Captain W. Battye, of the Bengal Staff Corps, —date of arrival at Bombay, 19th February 1874.

Captain W. T. Stuart, of the Bengal Staff Corps, Assistant Engineer, 1st Grade, Public Works Department, Interpreter and Quarter-master, Bengal Sappers and Miners,—date of arrival at Bombay, 19th February 1874.

Captain W. G. Cumming, of the Royal (Madras) Engineers, Executive Engineer, 2nd Grade, Public Works Department, Hyderabad,—date of arrival at Fort William, 24th February 1874.

Captain W. V. FitzG. Jacob, of the Bengal Staff Corps, 1st Wing Subaltern, 9th Regiment of Native Infantry,—date of arrival at Fort William, 24th February 1874.

Captain R. T. Hare, of the Bengal Staff Corps, —date of arrival at Fort William, 24th February 1874.

Captain H. M. Ramsay, of the General List, Infantry, District Superintendent of Police, 4th Grade, Bengal,—date of arrival at Fort William, 24th February 1874.

Captain C. A. Dodd, of the Bengal Staff Corps, Superintendent, Government Press, and Curator of Government Books, Allahabad, North-Western Provinces,—date of arrival at Bombay, 26th February 1874.

Captain W. A. J. Wallace, of the Royal Engineers, Executive Engineer, 2nd Grade, Department Public Works, Deputy Consulting Engineer to Government of India for Guaranteed Railways, Calcutta,—date of arrival at Bombay, 26th February 1874.

Captain F. Currie, of the late 1st European Light Cavalry, City Magistrate, Lucknow, Oude,—date of arrival at Bombay, 26th February 1874.

1st Class Apothecary J. Casey of the Subordinate Medical Department,—date of arrival at Bombay, 19th February 1874.

No. 219 of 1874.—His Excellency the Governor General in Council is pleased to make the following appointments:—

Captain N. X. Gwynne, of the 63rd Foot, Officiating To be Brigade Major. Major on the Establishment to fill existing vacancies.

Captain G. W. Smith, of the 85th Foot, Officiating Brigade Major.

Captain R. Morris, of the late 1st European Light Cavalry, Officiating Brigade Major, to be a Brigade Major on the Establishment, in succession to Captain A. R. Loughran, whose term of staff service has expired.

The 6th March 1874.

No. 220 of 1874.—The under-mentioned Officers of the Staff Corps having completed five years' service as substantive Lieutenant Colonel, are promoted to the rank of Colonel by Brevet, from the dates specified, under the operation of the Royal Warrant dated 16th January 1861, Clause 2, subject to Her Majesty's approval:—

Lieutenant Colonel William George Mainwaring, Bengal Staff Corps,—1st March 1874.

Lieutenant-Colonel Robert Henry Bolton, Madras Staff Corps,—2nd March 1874.

No. 221 of 1874.—The under-mentioned Officer of the Bengal Staff Corps, having completed 20 years' service, is promoted to the rank of Major, from the date specified, under the provisions of G. G. O. No. 808 of the 26th September 1866, subject to Her Majesty's approval:—

Captain James Nicholas Brutton Hewett,—4th March 1874.

No. 222 of 1874.—The under-mentioned Officers having completed twelve years' service, including four years in the Staff Corps, are promoted to the rank of Captain from the dates specified, under the Royal Warrant of the 16th January 1861, subject to Her Majesty's approval:—

Bengal Staff Corps.

Lieutenant Arnold Dashwood Strettell,—4th March 1874.

Lieutenant Thomas Deane,—4th March 1874.

No. 223 of 1874.—The following promotion by Brevet is made from the date specified, under the operation of G. G. O. No. 632 of the 4th August 1864, paragraph 69, subject to Her Majesty's approval:—

BREVET.—To be Captain.

Lieutenant Thomas Oliver Wingate, Bengal Staff Corps,—30th December 1871.

No. 224 of 1874.—The following extracts from the *London Gazettes* of the 23rd January and 3rd February 1874, pages 286, 287 and 493, are published for general information:—

"London Gazette" of the 23rd January 1874,
page 286.

WAR OFFICE, PALL MALL,
23rd January 1874.

BREVET.

Major and Brevet Lieutenant Colonel Alexander Carnegie, Bombay Staff Corps, Assistant Adjutant General, Bombay, having completed the qualifying service, to be Colonel,—dated 27th July 1873.

"London Gazette" of the 23rd January 1874,
page 287.

Honorary Surgeon Thomas Briscoe, M. R. C. S., Bengal Medical Establishment, to have the honorary rank of Surgeon Major,—dated 24th January 1874.

"London Gazette" of the 3rd February 1874,
page 493.

BREVET.

The under-mentioned Officers having completed the qualifying service, to be Colonels:—

Lieutenant Colonel John Bulkeley Thelwall, C. B., Bengal Staff Corps,—dated 15th September 1873.

Lieutenant Colonel Hamilton Forbes, Bengal Staff Corps,—dated 29th September 1873.

The under-mentioned Officers having retired on full pay, to have a step of honorary rank as follows, *viz.* :—

Lieutenant Colonel William Lowndes Randall, Bengal Infantry, to be Colonel,—dated 4th February 1874.

Lieutenant Colonel Robert Stewart, Bengal Staff Corps, to be Colonel,—dated 4th February 1874.

Surgeon Major John Brett, M. D., Madras Army, to be Deputy Surgeon General,—dated 4th February 1874.

Surgeon Major Joseph Furlonge Shekleton, Bombay Army, to be Deputy Surgeon General,—dated 4th February 1874.

The under-mentioned Warrant Officers to have honorary rank as follows, *viz.* :—

Lieutenant and Deputy Commissary William Pritchard, Bengal Establishment, to be Captain,—dated 4th February 1874.

Ensign and Assistant Commissary John Haddock, Madras Establishment, to be Lieutenant,—dated 4th February 1874.

The under-mentioned Officers to have the honorary and local rank of Surgeon on retirement:—

Senior Apothecary Frederick James L'Estrange, Bengal Subordinate Medical Establishment,—dated 4th February 1874.

Sub-Assistant Surgeon J. A. Moore, Subordinate Medical Establishment, Hyderabad Contingent,—dated 4th February 1874.

No. 225 of 1874.—The following appointment and promotions are made in the under-mentioned Corps of the Native Army:—

6th Regiment of Native (Light) Infantry.

Jemadar Khazum Allee Khan, to be Subadar, *vice* Pusput Misser, deceased.

Havildar Doorgah, to be Jemadar, *vice* Khazum Allee Khan, promoted. These promotions will have effect from the 20th January 1874.

8th Bengal Cavalry.

Rassaidar and Woordie Major Shumshoodeen Khan, to be Ressaldar, *vice* Ghyazoodeen Khan, invalided.

Jemadar Myboob Khan is appointed Ressaidar and Woordie Major, *vice* Shumshoodeen Khan, promoted.

Kote Duffadar Ghunee Khan, to be Jemadar, *vice* Myboob Khan, promoted.

The above appointment and promotions will have effect from the 1st December 1873.

No. 226 of 1874.—It is hereby announced that on the recommendation of the Government of India, Her Majesty's Government has been pleased to confer a good service pension on the under-mentioned Officer, with effect from the 1st January 1874, in room of Major General M: Galwey, c. b., who has succeeded to the Colonel's allowance:—

Lieutenant Colonel (Brevet Colonel) R. S. Wilson, Madras Staff Corps.

Ensign, 18th December 1836.

Lieutenant, 3rd May 1839.

Captain, 25th February 1849.

Brevet Major, 18th February 1861.

Major, 1st January 1862.

Brevet Lieutenant Colonel, 18th December 1862.

Lieutenant Colonel, 12th September 1866.

Brevet Colonel, 18th December 1867.

Appointments held during service.

Services placed at disposal of Government of India for employment in the service of His Majesty Shah Shooja-Ool-Moolk,—17th July 1840.

Adjutant, 52nd Regiment, Native Infantry,—16th April 1844.

Services placed at disposal of Government of Bengal, for employment with the Local Corps of the Tenasserim Provinces,—19th June 1846.

Services replaced at Commander-in-Chief's disposal,—2nd May 1848.

Acting Quartermaster and Interpreter, 52nd Regiment, Native Infantry,—9th February 1850.

Acting Fort Adjutant of Vellore,—16th April 1850.

Acting Quartermaster and Interpreter, 52nd Regiment, Native Infantry,—24th March 1854.

Government Agent at Chepauk, Paymaster of Carnatic Stipends, and Persian and Hindoo-stanee Translator to Government,—13th August 1861.

Acting Secretary and Examiner in Hindoo-stanee,—7th February 1871.

Commissioner for the examination and settlement of the debts of His Highness Prince Azim Jah Bahadoor,—28th February 1871.

War Services.

Brevet Colonel R. S. Wilson served in the Affghanistan and Scinde Campaigns from October 1840 to April 1843; was present at Killa-i-Arass; storm of a Fort in the Ghilzie country, 1st May 1841; at Killa-i-Ghilzie cavalry skirmish, 29th May 1841; at Chaprecal cavalry skirmish, 27th December 1841, where he received two wounds with the sword, one on the left arm and another on the left side of the neck; at Khaleespah general action, 12th January 1842; at Babwallee general action, early part of 1842; at Candahar, attack on the Heeraeth Gate in March 1842; at Chandahar general action on the Cantonments, 29th May 1842; employed in the Bolan Pass, clearing the heights and protecting the march of General England's Force in August 1842.

No. 227 of 1874.—Lieutenant Colonel G. J. D. Hay, of the Bengal Staff Corps, Pay Master, Punjab Circle, is allowed leave of absence for one month from such date as he may avail himself of it, to visit Bombay preparatory to proceeding on furlough to Europe on private affairs.

H. K. BURNE, *Colonel,*
Secy. to the Govt. of India.

MILITARY DEPARTMENT.

ESTATE NOTIFICATION.

Fort William, the 6th March 1874.

W. W. Darby, Lieutenant, Royal Engineers, died 7th July 1873, at Chukrata, Intestate, Rs. 1,879-4-7 deposited on the 4th March 1874. All claims against the above Estate must be submitted before the 6th May 1874.

H. K. BURNE, *Colonel,*
Secy. to the Govt. of India.

PUBLIC WORKS DEPARTMENT.

NOTIFICATIONS.—ESTABLISHMENT.

Fort William, the 2nd March 1874.

No. 122.—Mr. H. W. Stevens, Engineer to the Durbhangah Raj, is appointed to act as Superintendent of Works for employment under Major Stanton on the Tirhoot Railway, in addition to his own duties.

The 6th March 1874.

No. 124.—The following temporary appointments by the Government of Bengal in connection with Famine Relief Works are confirmed:—

Mr. T. Martin, Executive Engineer, 1st Grade, to the charge of the Gunduck Embankment Circle and Relief Works, as Superintending Engineer.

Mr. G. W. Vivian, Executive Engineer, 1st Grade, to the Rajshahye Division, as Special Superintending Engineer.

Mr. W. Barnfather, Executive Engineer, 2nd Grade, to the Bhagulpore Division, as Superintending Engineer.

Mr. G. Pothecary, Executive Engineer, 2nd Grade, to the Patna Division lying north of the Ganges, as Superintending Engineer.

No. 125.—Captain W. A. J. Wallace, R. E., Executive Engineer, 2nd Grade, Deputy Consulting Engineer to the Government of India, for

Guaranteed Railways, Calcutta, reported his return at Bombay from furlough on the 26th February 1874, and resumed charge of his Office from Lieutenant W. S. S. Bisset, R. E., Executive Engineer, 3rd Grade, on the 1st March 1874.

Captain Wallace is granted subsidiary leave for two days to enable him to rejoin his appointment.

No. 126.—Mr. A. W. D'Souza, Registrar of the Public Works Secretariat of the Government of India, is granted three months' privilege leave, with effect from the 9th March 1874, or such date as he may avail himself of it.

No. 127.—Lieutenant Colonel H. A. Brownlow, R. E., Superintending Engineer, 1st Grade, is transferred from the Irrigation Branch of the North-Western Provinces to the Irrigation Branch of the Punjab.

TELEGRAPH.

The 6th March 1874.

No. 123.—Mr. T. R. M. Bence, Superintendent, 2nd Grade, has been granted No. 73, dated 6th February 1872, by Her Majesty's Secretary of State leave for six months No. 125, dated 20th February 1873, on medical certificate, in further extension of the leave No. 573, dated 2nd September 1873, granted him in Public Works Department Notifications marginally noted.

C. H. DICKENS, *Colonel, R. A., Secy. to the Govt. of India.*

Registered No. 75.]

No. 11

of 1874.



The Gazette of India.

Published by Authority.

CALCUTTA, SATURDAY, MARCH 14, 1874.

Separate paging is given to this Part in order that it may be filed as a separate compilation.

CONTENTS.

PART I.—Government of India Notifications, Appointments, Promotions, Leave of Absence, General Orders, Rules and Regulations.

PART II.—Notifications by High Court, Comptroller General, Administrator General, Paper Currency Dept., Presidency Pay Master, Money Order Department, Mint Master, Secretary and Treasurer, Bank of Bengal, Supdt. of Government Printing, and other Government Officers, Postal, Telegraph, and Commissariat Notices.

PART III.—Advertisements and Notices by private Individuals and Corporations.

PART IV.—Acts of the Governor General's Council assented to by the Governor General:—

The Married Women's Property Act, 1874.
The Foreign Recruiting Act, 1874.
The Kullu Appeals Act, 1874.

PART V.—Bills introduced in the Council of the Governor General for making Laws and Regulations, or published under Rule 22:—

Assam Chief Commissioner's Powers Bill.

SUPPLEMENT NO. 11.

PART I.

Government of India Notifications, Appointments, Promotions, &c.

HOME DEPARTMENT.

NOTIFICATIONS.—PUBLIC.

Fort William, the 11th March 1874.

No. 53.—Mr. A. O. Brown, Assistant Magistrate, Noakhally, is appointed to be an Assistant Commissioner in British Burmah.

The 13th March 1874.

No. 55.—The services of Mr. J. F. Muir, of the Bombay Civil Service, at present an Assistant Commissioner in the Central Provinces, are replaced at the disposal of the Government of Bombay.

No. 69.—The Governor General in Council has been pleased to appoint Mr. C. W. Carpenter, Settlement Officer, 1st Grade, in the North-Western Provinces and Officiating Magistrate and Collector of Allahabad, to officiate as Commissioner of the Jabalpur Division in the Central Provinces, during the absence on leave of Mr. C. Grant, or until further orders.

No. 72.—The Honourable F. A. Glover, a Judge of the High Court of Judicature at Fort William in Bengal, has obtained furlough to Europe for one year, with the usual subsidiary leave, with effect from the 14th April next, or from such subsequent date as he may avail himself of the same.

No. 75.—Colonel Henry Stewart Bivar is appointed to officiate for Colonel William Agnew, Judicial Commissioner of Assam, during the absence of the latter on privilege leave or until further orders.

No. 76.—The Governor General in Council is pleased to appoint Mr. Archibald Colin Campbell, Assistant Commissioner in Assam, to officiate as Deputy Commissioner of Kamroop during the absence on leave of Colonel Thomas Lamb, or until further orders.

Mr. Campbell is invested with the powers of a Subordinate Judge, and also with powers under Section 36 of the Code of Criminal Procedure in the District of Kamroop.

No. 78.—With reference to the Notification of this Department, No. 34, dated the 13th ultimo, the Governor General in Council is pleased to direct that the appointment of Mr. H. Luttman-Johnson, therein announced, is to take effect from the 7th idem.

ECCLESIASTICAL.

The 10th March 1874.

No. 73.—The services of the Reverend J. A. Stamper, Chaplain of Faizabad, are placed at the disposal of the Government of the Punjab.

No. 75.—The Reverend W. J. Burdett, Chaplain of the Rangoon Cantonment, is appointed to be Chaplain of Faizabad.

The 13th March 1874.

No. 81.—Mr. C. Sanderson, Registrar of the Diocese of Calcutta, reported his return on the 26th ultimo from the leave granted to him in the Home Department Notification No. 75, dated the 20th February 1873.

A. C. LYALL,
Secy. to the Govt. of India.

FOREIGN DEPARTMENT.

NOTIFICATIONS.—GENERAL.

Fort William, the 12th March 1874.

No. 568 G.—The Notification No. 2392 G of the 10th November 1873, to the effect that Apothecary Ahmed Khan had conducted the civil medical duties at Bushire from 20th June to 16th July 1873, is hereby cancelled.

No. 571 G.—APPOINTMENTS.—The following appointments are made, consequent on Surgeon Major W. Eddowes' proceeding on furlough to Europe:—

Surgeon T. H. Hendley, of the Meywar Bheel Corps, to the officiating medical charge of the Jeypoor Political Agency, *vice* Surgeon Major F. W. A. DeFabek, who will revert to his substantive appointment in the Deolee Irregular Force.

Surgeon Major L. F. Dickson, M. D., to the officiating medical charge of the Meywar Bheel Corps.

The 13th March 1874.

No. 579 G.—APPOINTMENT.—Lieutenant C. E. Wheeler, Officiating 2nd in Command and Squadron Officer, to perform the duties of Adjutant, and Station Staff Officer at Erinpoora, in addition to his own duties, *vice* Captain Rennick, placed at the disposal of the Government of Bengal by Notification No. 221 G., of the 29th January last.

No. 580 G.—With reference to Notification No. 266 G., of the 6th ultimo, Captain R. G. E. Dalrymple, Officiating Boundary Settlement Officer and ex-officio Assistant to the Political Agent in Bhopal, held temporary charge of the Bhopal Political Agency from the forenoon of the 20th January 1874 to the afternoon of the 31st idem, in addition to his own appointments.

No. 581 G.—APPOINTMENT.—Surgeon C. T. Peters, M. B., of the Bombay Medical Department, to officiate as Civil Surgeon at Muscat, during the absence on leave of Surgeon Jayakar, or until further orders.

No. 582 G.—LEAVE.—Surgeon Major W. J. Moore, Surgeon to the Rajpootana Agency and Superintendent General of Dispensaries and Vaccination in Rajpootana, is granted privilege leave of absence for three months from such date as he may avail himself of the same.

No. 585 G.—LEAVE.—With reference to Notification No. 50 G., of the 9th January last, Raja Chunder Nath Roy Bahadoor, Attaché in the Foreign Department, is granted a further extension of sick leave for 8 days.

No. 586 G.—The Raja of Nattore rejoined his appointment in the Foreign Department on the forenoon of the 19th January last.

No. 591 G.—His Excellency the Governor General in Council is pleased to invest the under-mentioned Officers with the powers specified, to be exercised within the limits of the Neemuch (State) Railway:—

Mr. James Imbrie Miller, Superintending Engineer, the powers of a Subordinate Magistrate, as described in Section 22 of the Code of Criminal Procedure.

Messrs. James F. Cockburn, James Conder, and Frank B. Walker, Executive Engineers, the powers of a Subordinate Magistrate of the 2nd Class, as described in Section 22 of the Code of Criminal Procedure.

C. U. AITCHISON,
Secy. to the Govt. of India.

FINANCIAL DEPARTMENT.

NOTIFICATIONS.—LEAVE AND ALLOWANCES.

Fort William, the 10th March 1874.

No. 1639.—The Governor General in Council directs that the following be added to the examples under Section 24 (b) of the Acting Allowance Code:—

“A director of public instruction doing the work of one of his inspectors, or one inspector (in the Educational Department) doing the work of a fellow inspector, in addition to his own.”

The 11th March 1874.

No. 1680.—The Governor General in Council is pleased to rule that when an Uncovenanted Officer is transferred from one appointment to another of at least equal rank, in the same or in another Province, under circumstances entitling him to travelling allowance, he shall receive such allowance at the mileage rate admissible for rapid journeys on the duties of the appointment from which he is transferred.

When, as in the Bombay Presidency, a permanent travelling allowance of not less than Rs. 150 a month is attached to the appointment from which the Officer is transferred, the rate admissible to him under the foregoing rule is eight annas a mile by road, and three annas a mile by rail.

The Notification No. 1262, dated 20th February 1874, is cancelled.

The rules for travelling allowance to Hospital Assistants, Native Doctors and any classes for whom there are no mileage rates for journeys within their districts, are not affected by this order.

The 12th March 1874.

No. 1704.—The Governor General in Council directs that the following be inserted as Rule 1 (b 1) under Section 28 of the Civil Leave Code:—

1 (b 1).—Leave may be granted with retrospective effect from the date on which it is admissible.

The Governor General in Council also directs that the following be inserted as a foot note under the above rule:—

“Applies to leave granted under any of the supplements to this Code.”

SEPARATE REVENUE.—STAMPS.

The 13th March 1874.

No. 1739.—In exercise of the powers conferred by section 16 of the General Stamp Act, 1869, the Governor General in Council is pleased to remit the whole of the duties chargeable under the said Act on instruments relating to land, or benefits to arise out of land, executed by members of the following tribes residing in the Bannu district within the limits hereinafter specified:—

This Notification does not apply to any instrument executed after 31st December 1876.

Ahmadzai Wazirs.

Bounded—North, independent territory; east, territory of Nawab Khwajah Muhammad Khan Khattak; south, Kurm river, Serrani tappahs and the Murwat thall; west, independent territory.

Utmazai Wazirs.

Bounded—North, independent territory and Kurm river; east Banuchi tappahs and Murwat thall; south, Murwat thall; west, independent territory.

Bhittannis.

Bounded—North, independent territory and Murwat thall; east, Murwat thall; south, Murwat thall; west, independent territory.

Bhittanni location of Karam tâla.

Surrounded by Murwat thall.

Bungi Khels (Khattaks.)

Bounded—North, territory of Nawab Khwajah Muhammad Khan Khattak; east, lands of the Sagri Khattaks; south, river Indus and Kâlabâgh; west, same as north.

R. B. CHAPMAN,
Secy. to the Govt. of India.

MILITARY DEPARTMENT.

Fort William, the 7th March 1874.

No. 228 of 1874.—The family pension sanctioned to Mahomed Hussein, in G. O. by the Commander-in-Chief of the 29th August 1864, will continue to be paid up to the 4th April 1877, the date on which he will attain the age of eighteen years.

No. 229 of 1874.—The services of Surgeon Major L. F. Dickson, M. D., of the Medical Department, are placed temporarily at the disposal of the Foreign Department.

No. 230 of 1874.—The under-mentioned Officer is permitted to proceed to Europe on furlough on private affairs:—

Lieutenant Colonel (Brevet Colonel) Henry Larkins Robertson, of the Bengal Staff Corps,—for 2 years, under Rule IX of the Regulations of 1868.

The 9th March 1874.

No. 231 of 1874.—The under-mentioned Officers are permitted to proceed to Europe on furlough on private affairs:—

Major (Brevet Lieutenant Colonel) Harry Hammon Lyster, v. c., of the Bengal Staff Corps, 2nd in Command and Wing Officer, 3rd Goorkha (The Kemaon) Regiment,—for two years, under Rule IX of the Regulations of 1868.

Major Alexander Copland, of the Bengal Staff Corps, Wing Officer, 19th (Punjab) Regiment of Native Infantry,—for two years, under Rule IX of the Regulations of 1868.

Major John Greenlaw Forbes, of the Royal Engineers, Superintending Engineer, 3rd Grade, Public Works Department, Punjab,—for two years, under Rule IX of the Regulations of 1868.

Surgeon Major James John Durant, of the Medical Department, Principal Assistant to the Opium Agent of Behar,—for one year, under Rule IX of the Regulations of 1868.

Captain Charles St. John Burren Barnett, of the Bengal Staff Corps, Quartermaster, 1st Goorkha Regiment (Light Infantry),—for two years, under Rule IX of the Regulations of 1868.

Captain Binfield Wemyss, of the General List, Infantry,—for two years, under Rule IX of the Regulations of 1868.

The 10th March 1874.

No. 232 of 1874.—The under-mentioned officers of the Royal Engineers, who have been placed under orders for duty in the Bengal Presidency, reported their arrival on the dates specified:—

Lieutenants E. Raban, A. G. Goodwyn, and E. Glennie,—Date of arrival at Bombay, 2nd March 1874.

No. 233 of 1874.—Captain C. G. Cautley, of the General List, Cavalry, Assistant, Pay Department, and Officiating 2nd Examiner, Pay Department, is allowed leave of absence from the 5th April to the 5th October 1874, to visit the hills north of Dehra, on private affairs, under the Regulations of 1868.

No. 234 of 1874.—Sowar Nihal Sing, of the 17th Bengal Cavalry, declared unfit for further service by a Special Invaliding Committee, is transferred to the Invalid Pension Establishment on the pension of his rank, with effect from the date on which he may be struck off the strength of the corps.

The stipend will be disbursed in the Punjab Circle of payment.

No. 235 of 1874.—Second Class Hospital Assistant Mootee Ram (No. 184), lately attached to the Kumaon and Gurhwal Party of the Great Trigonometrical Survey, whose transfer to that grade was notified in G. G. O. No. 968 of 1870, is struck off the list of medical subordinates from the 19th December 1873.

No. 236 of 1874.—The under-mentioned officer is permitted to proceed to Europe on furlough on private affairs:—

Surgeon Major Worseley Poulett Harris, M. D., of the Medical Department, for 2 years, under Rule IX of the Regulations of 1868.

The 12th March 1874.

No. 237 of 1874.—With the approval of Her Majesty's Government, the Right Hon'ble the Governor General in Council is pleased to make the following appointment:—

Major-General E. B. Johnson, c. b., of the Royal Artillery, Quartermaster General, Bengal, to be Adjutant General to the Army in India, in succession to Major General (Colonel) the Hon'ble F. A. Thesiger, c. b., Aide-de-Camp to the Queen, whose term of staff service expires on the 17th March 1874.

No. 238 of 1874.—His Excellency the Governor General in Council is pleased to make the following appointments:—

Quartermaster General's Department.

Lieutenant Colonel F. S. Roberts, c. b., v. c., of the Royal Artillery, Deputy Quartermaster General, to officiate as Quartermaster General, *vice* Major General E. B. Johnson, c. b., appointed Adjutant General, or until further orders.

Major C. J. East, of the 41st Foot, 1st Assistant Quartermaster General, to officiate as Deputy Quartermaster General, *vice* Lieutenant Colonel Roberts, c. b., v. c.

Lieutenant Colonel C. M. MacGregor, of the Bengal Staff Corps, Assistant Quartermaster General, to officiate as 1st Assistant Quartermaster General, *vice* Major East.

Captain H. Collett, of the Bengal Staff Corps, Deputy Assistant Quartermaster General, to officiate as Assistant Quartermaster General, *vice* Lieutenant Colonel MacGregor.

No. 239 of 1874.—With reference to the Notification issued by the Government of Bengal, dated the 3rd March 1874, the services of Surgeon F. C. Ghose, of the Medical Department, late Acting Civil Surgeon of Dinagepore, are replaced at the disposal of His Excellency the Commander in Chief.

No. 240 of 1874.—The services of Lieutenant W. F. H. Grey, of the Bengal Staff Corps, 2nd Wing Subaltern and Officiating Quartermaster 4th Regiment of Native Infantry, are placed temporarily at the disposal of the Home Department.

No. 241 of 1874.—The services of Lieutenant S. M'M. Maycock, of the Royal Engineers (Imperial Establishment), are placed temporarily at the disposal of the Public Works Department, with effect from the 16th February 1874.

No. 242 of 1874.—The services of Captain F. Wheeler of the Bengal Staff Corps, are placed at the disposal of the Government of the North-Western Provinces.

No. 243 of 1874.—The under-mentioned Officer of the Bengal Staff Corps, having completed twelve years' service in the rank of Lieutenant Colonel, is admitted to the Colonel's allowance, with effect from the date specified, under the operation of G. G. O. No. 808 of 1866, paragraph 61, clause 5:—

Lieutenant Colonel (Brevet Colonel) Solomon Richards,—8th March 1874.

No. 244 of 1874.—The under-mentioned Officer, having completed twelve years' service, including four years in the Staff Corps, is promoted to the rank of Captain from the date specified, under the Royal Warrant of the 16th January 1861, subject to Her Majesty's approval:—

Bengal Staff Corps.

Lieutenant Robert Warburton,—18th December 1873.

No. 245 of 1874.—At the recommendation of His Excellency the Commander-in-Chief and in consideration of his long and meritorious services, the Right Hon'ble the Governor General in Council is pleased to sanction the Brevet pay of his rank being continued to Subadar Major Ramjeawun Sing, "Sirdar Bahadoor," late of the 7th Regiment of Native Infantry, with effect from the date of his transfer to the Pension Establishment.

No. 246 of 1874.—The services of Captain R. Hunter, of the Madras General List Infantry, late Superintendent of Cuttack Kheddahs, are replaced at the disposal of the Government of Fort St. George.

No. 247 of 1874.—The under-mentioned Officers and Warrant Officer have reported their departure for Europe on the dates specified:—

Lieutenant Colonel (Brevet Colonel) H. Hopkinson, of the Bengal Staff Corps, G. G. O. No. 123 of 1874,—*Cathay*, 13th February 1874, from Calcutta.

Lieutenant Colonel (Brevet Colonel) J. C. Brooke, of the Bengal Staff Corps, G. G. O. No. 1215 of 1873,—23rd February 1874, from Bombay.

Lieutenant Colonel (Brevet Colonel) H. King,

of the Bengal Staff Corps, G. G. O. No. 15 of 1874,—*Australia*, 27th February 1874, from Calcutta.

Lieutenant Colonel E. B. Clay, of the Bengal Staff Corps, G. G. O. No. 1215 of 1873,—*Asia*, 1st March 1874, from Bombay.

Major C. T. Hitchins, of the Bengal Staff Corps, G. G. O. No. 69 of 1874,—*Timor*, 21st February 1874, from Bombay.

Major A. E. Campbell, of the Bengal Staff Corps, G. G. O. No. 141 of 1874,—*Australia*, 27th February 1874, from Calcutta.

Surgeon Major T. Duka, M. D., of the Medical Department, G. G. O. No. 1241 of 1873,—*Venetia*, 16th February 1874, from Bombay.

Surgeon Major B. Simpson, M. D., of the Medical Department, G. G. O. No. 120 of 1874,—*Gwalior*, 23rd February 1874, from Bombay.

Captain T. H. Lewin, of the Bengal Staff Corps, G. G. O. No. 87 of 1874,—*Indus*, 31st January 1874, from Calcutta.

Captain E. A. Trevor, of the Royal Engineers, G. G. O. No. 1236 of 1873,—*China*, 2nd February 1874, from Bombay.

Conductor W. Nash, of the Ordnance Commissariat Department, G. G. O. No. 143 of 1874,—*Australia*, 27th February 1874, from Calcutta.

No. 248 of 1874.—The services of Apothecary T. Price, of the Subordinate Medical Department, are placed at the disposal of the Public Works Department, with effect from the date of his appointment to the Indus Valley (State) Railway.

No. 249 of 1874.—The under-mentioned Officers and Warrant Officers have reported their return from England:—

Lieutenant Colonel (Brevet Colonel) E. H. C. Wintle, of the Bengal Staff Corps, Cantonment Magistrate and Judge, Small Cause Court, Dum-Dum,—date of arrival at Fort William, 1st March 1874.

Lieutenant Colonel C. T. Stewart, of the Royal Engineers, Superintending Engineer, 2nd Grade, Department Public Works, Punjab,—date of arrival at Bombay, 6th March 1874.

Major H. R. Osborn, of the Bengal Staff Corps, 2nd in Command and Squadron Officer, 5th Bengal Cavalry,—date of arrival at Fort William, 7th March 1874.

Major D. J. Welsh, of the Royal Artillery, Assistant to the Inspector General of Ordnance and Magazines, Calcutta,—date of arrival at Bombay, 6th March 1874.

Major M. M. Prendergast, of the Bengal Staff Corps, 2nd in Command and Squadron Officer, 4th Bengal Cavalry,—date of arrival at Bombay, 6th March 1874.

Captain C. A. E. S. Carter, of the late 20th Regiment, Native Infantry, Assistant, Pay Department,—date of arrival at Fort William, 7th March 1874.

Captain A. R. Chapman, of the Bengal Staff Corps, Adjutant, 1st Bengal Cavalry,—date of arrival at Fort William, 26th February 1874.

Captain E. Harvey, of the Royal Engineers, Executive Engineer, 4th Grade, Department Public Works, Punjab,—date of arrival at Bombay, 6th March 1874.

Captain A. F. Jones, of the General List, Infantry,—date of arrival at Fort William, 6th March 1874.

Captain A. J. D. Hawes, of the Bengal Staff Corps, Wing Officer, 4th Infantry, Punjab Frontier Force,—date of arrival at Fort William, 7th March 1874.

Captain G. W. C. Plowden, of the Bengal Staff Corps,—date of arrival at Fort William, 22nd January 1874.

Sub-Conductor A. McDonald, of the Ordnance Commissariat Department,—date of arrival at Bombay, 2nd March 1874.

Sub-Conductor E. Browne, of the Army Commissariat Department,—date of arrival at Bombay, 2nd March 1874.

No. 250 of 1874—The under-mentioned Native Medical Pupils, whose admission into the service was notified in G. G. O. No. 819 of 1872, and No. 1054 of 1873, respectively, are struck off the list of Native Medical Pupils:—

Soubhan Khan (No. 337).
Chujoo Mull (No. 541).

No. 251 of 1874.—The following extract from List No. 4, dated the 13th February 1874, of Military Officers of the Bengal Establishment permitted to return to duty, granted extensions of leave, or allowed to retire from the service, received from the India Office, is published for general information:—

Permitted to return.

Lieutenant Colonel C. T. Hallett.
Major G. C. Thomson.
Major F. J. Craigie.
Captain H. M. Burlton.
Captain A. H. Eckford.
Captain E. Harvey, R. E.
Captain C. E. D. Branson.
Captain J. G. T. Carruthers.
Captain E. E. Grigg.
Captain H. Chapman.
Lieutenant Sir C. Leslie, Bart.
Lieutenant J. Corse-Scott.

Granted extensions of leave.

Colonel A. M. Mackenzie,—6 months, sick certificate.
Lieutenant Colonel H. B. A. Poulton,—6 months, sick certificate.
Lieutenant Colonel C. F. Browne,—6 months, sick certificate.
Lieutenant A. C. G. Lydiard,—6 months, sick certificate.
Surgeon Major A. R. Waghorn,—6 months, sick certificate.

Retirements.

Captain and Brevet Major Sir J. H. T. Farquhar, Bart., 5th January 1874.
Captain E. C. B. Rawlinson, 27th March 1874.
Conductor R. Tear, 11th March 1874.

No. 252 of 1874.—Captain G. W. C. Plowden, of the Bengal Staff Corps, is allowed an extension of leave from the 23rd December 1873 to the 22nd January 1874, the date on which he reported his return to India from the furlough to Europe granted to him by G. G. O. No. 330 of 1872.

No. 253 of 1874.—With reference to paragraph 2 of G. G. O. No. 75, dated the 25th January 1872, Captain T. Deane, of the Bengal Staff Corps, promoted to the rank of Captain in G. G. O. No. 222 of 1874, is permitted to retain the appointment of Adjutant of the Governor General's Body Guard, with effect from the 4th March 1874.

The 13th March 1874.

No. 254 of 1874.—The under-mentioned Officers are permitted to proceed to Europe on furlough on private affairs:—

Surgeon Major Francis Nottidge Macnamara, M. D., of the Medical Department, Chemical Examiner and Professor of Chemistry, Medical College, Calcutta,—for sixteen months and six days, under Rule IX of the Regulations of 1868.

Captain James William O'Dowda, of the Bengal Staff Corps, District Superintendent of Police, 4th Grade, North-Western Provinces,—for one year, under Rule IX of the Regulations of 1868.

No. 255 of 1874.—The under-mentioned Officer is permitted to proceed to Europe on furlough on private affairs:—

Captain (Brevet Major) Richard Beadon, of the late 4th European Light Cavalry, Brigade Major, Lucknow,—for twenty months, under Rule IX of the Regulations of 1868.

No. 256 of 1874.—The following permanent and temporary promotions are made in the Warrant Grades of the Ordnance Commissariat Department from the dates specified:—

Rank and Names.	To what rank promoted.	From what date.	In whose room.
<i>Permanent.</i>			
Honorary Lieutenant, Assistant Commissary William Carroll.	Deputy Commissary.	Jan. 8, 1874	Vice Deputy Commissary, Honorary Captain Palphreyman, invalided.
Honorary Ensign, Deputy Assistant Commissary William Skeaf.	Assistant Commissary	Jan. 8, 1874	Vice Assistant Commissary Carroll, promoted.
Deputy Assistant Commissary John Baker, borne in italics.	To be brought on the effective strength of the Department.		Vice Deputy Assistant Commissary Skeaf, promoted.
<i>Sub-Conductor Patrick M. O'Loughlin, Store-keeper and Assistant Overseer, Gunpowder Agency.</i>			
Sub-Conductor (and Officiating Conductor) James H. Jelly.	Conductor ...	Feb. 9, 1874	Vice Conductor Callow, deceased.
Sergeant George Hobson, Overseer of Carpenters, Gun-carriage Agency.	Do. ...	Feb. 9, 1874	
Sergeant George Fudge, Assistant Overseer, Dum-Dum Factory.	Do. ...	Feb. 9, 1874	
Sergeant James Venham, Assistant Overseer, Dum-Dum Factory.	Do. ...	Feb. 9, 1874	
Magazine Sergeant (and Officiating Sub-Conductor) Edward McCarthy.	Do. on probation.	Feb. 9, 1874	Vice Sub-Conductor Jelly, promoted.
<i>Temporary.</i>			
Sub-Conductor James Graves.	Officiating Conductor.	Dec. 28, 1873	Vice Conductor Glover on furlough, or until further orders.
Magazine Sergeant James Bisset.	Officiating Sub-Conductor.	Dec. 28, 1873	Vice Graves, officiating as Conductor, or until further orders.
Sub-Conductor Z. Holland.	Officiating Conductor.	Feb. 9, 1874	Vice Officiating Conductor Jelly, promoted, and Conductor Lally on furlough, or until further orders.
Magazine Sergeant James N. Wauche.	Officiating Sub-Conductor.	Feb. 9, 1874	Vice Officiating Sub-Conductor McCarthy, promoted, and Sub-Conductor Holland, acting as Conductor, or until further orders.

No. 257 of 1874.—The under-mentioned Warrant Officer has been allowed furlough to Europe on medical certificate:—

First Class Apothecary John Hemming, of the Subordinate Medical Department,—for twelve months, under the provisions of G. G. O. No. 207 of 1869.

No. 258 of 1874.—Native Medical Pupil Goolam Dustgeer, No. 610, passed the prescribed English qualification examination on the 19th February 1874, according to the test laid down in G. G. O. No. 945 of the 7th October 1868.

H. K. BURNE, Colonel,
Secretary to the Govt. of India.

MILITARY DEPARTMENT.

ESTATE NOTIFICATION.

Fort William, the 13th March 1874.

R. S. Armstrong, Captain, of the Madras Staff Corps, died 5th September 1873 at Saugor, Testate; Rs. 12-6-10 deposited on the 7th March 1874, and remitted to Military Secretary to Government, Madras.

H. K. BURNE, Colonel,
Secretary to the Govt. of India.

MARINE DEPARTMENT.

NOTIFICATION.

Fort William, the 12th March 1874.

No. 2 of 1874.—The following notice to mariners received from the Government of Bombay, is published for general information:—

NOTICE TO MARINERS.

DIRECTIONS FOR KURRACHEE HARBOUR.

LIGHT HOUSE.

Latitude of Light House on Manora

Point ... 24° 47' 21" N.

Longitude ... 66° 58' 15" E.

The light is a "fixed" one, 120 feet above the Sea level—visible in clear weather ... 16 miles.

In the hazy weather, prevalent during the South-West Monsoon—about ... 7 ,,

NOTE.—It is hoped that this light will be shortly replaced by a Dioptric light of the 2nd order, for which designs have been submitted.

TIDES.

M. H.

High Water, full and change ... 10 30

Average rise and fall—Spring Tides 9 ft. 6 in.

Do. do. Neap Tides .. 3 to 4 feet.

AVERAGE DEPTH OF WATER ON THE BAR AT HIGH WATER.

Spring Tides ... 28 feet.

Neap Tides ... 25 to 26 feet.

DRAUGHT OF VESSELS ENTERING OR LEAVING PORT.

Vessels with a draught not exceeding 21 feet, can now enter and leave Port without any difficulty or delay during all seasons of the year.

During the fair season, from *October to 15th May*, Vessels of the largest class with a draught not exceeding 24 feet, can now enter and leave the Harbour. Fixed Moorings will be placed for such vessels.

APPROACHES.

Ras Muari (or Cape Monze), distant 18 miles W. $\frac{1}{2}$ N. from the Western entrance to Kurrachee, is high and bold of approach. Ships during the S. W. Monsoon season should make this head land, running to the Eastward for Manora Point, keeping it (Manora Point) on any bearing to the North of East.

Masters of ships should endeavour to make the Port, at daylight, and can with safety approach to within from 1 to 2 miles distance from the Light House, keeping it, on any bearing, from N. E. to North, and heave to for a Pilot.

TIME OF TIDE FOR ENTERING PORT.

Sailing Vessels should enter Port on the ebb tide.

Steamers can enter either on flood or ebb, and stand at once into Port.

Masters of ships should not, under any circumstances, attempt to enter the Harbour without a Pilot.

HARBOUR IMPROVEMENTS.

The Harbour works are nearly completed, and have proved most successful, both as regards deepening the entrance channel and enlarging interior accommodation for shipping.

Among the extensive works executed, a breakwater has been built, running out from Manora Point in a S. by E. direction to a distance of 1,500 feet into 6 fathoms of water; this affords complete shelter to the Channel over the Bar during the S. W. Monsoon.

Also, a Channel has been opened through the Bar with a depth 19 feet at low water spring tides, 300 feet in breadth (to be widened to 500 feet); the Channel is marked with buoys, and these, on entering, should be kept on Port side, about 100 feet.

NOTE.—Every facility will be afforded (during the fair season only) for Mail Steamers to enter Port during the night. A "red light" will be placed at the end of the break-water, and a light will be shown on the West side of the Channel.

A Mail Steamer arriving off the Port at night and requiring a Pilot, should fire "two guns."

GEO. C. PARKER, Lieut., I. N.,
Acting Master Attendant, Kurrachee.

MANORA;
MASTER ATTENDANT'S OFFICE, }
23rd August 1873. }

H. K. BURNE, Colonel,
Secretary to the Govt. of India.

PUBLIC WORKS DEPARTMENT.

NOTIFICATIONS.—ESTABLISHMENT.

Fort William, the 7th March 1874.

No. 128.—Major H. R. Faber, R. E., is re-appointed to the Public Works Department as an Executive Engineer, 4th Grade, and posted to the Punjab Northern (State) Railway.

No. 129.—ERRATUM.—In Public Works Department Notification No. 46, dated 20th January 1874, regarding Mr. Durant, omit the words "the" and "State Railway" before and after the word Rajpootana.

The 9th March 1874.

No. 130.—Balliah Naidoo, Accountant, 4th Grade, is transferred from Hyderabad to Mysore.

No. 131.—Captain J. E. Toller, R. E., is appointed to the Public Works Department as an Executive Engineer, 4th Grade, and posted to the Military Works Branch.

No. 132.—Private C. Vyner, Her Majesty's 11th Hussars, is appointed to the Public Works Department as an Overseer, 1st Grade, and posted to Bengal Provincial Establishment.

No. 133.—Mr. D. Bewell, temporary Supervisor, 2nd Grade, Indus Valley (State) Railway, is reduced to the rank of temporary Overseer, 1st Grade.

No. 134.—The following Royal Engineer Officers, attached to the Sappers and Miners, are graded as follows in the Public Works Department:—

Captain B. Blood, as Executive Engineer, 3rd Grade.

Lieutenants W. North and W. J. Home, as Assistant Engineer, 1st Grade.

The 10th March 1874.

No. 135.—Mr. J. Alchin is appointed to the Public Works Department as a temporary Sub-Engineer, 3rd Grade, and posted to the Punjab Northern (State) Railway.

No. 136.—The under-mentioned Probationary Upper Subordinates are confirmed in their appointments:—

Sergeant J. Thomas, Overseer, 1st Grade, Military Works Branch.

Subrao Naidoo, Overseer, 3rd Grade, Central India.

No. 137.—Mr. W. N. Shilstone, Accountant, 3rd Grade, attached to the Office of the Accountant General, Public Works Department, is granted privilege leave of absence for three months, with effect from the 18th March 1874 or such date as he may avail himself of the same.

Baboo Obhoy Churn Moytro, Accountant, 4th Grade, is temporarily transferred from the Office of the Examiner of Guaranteed Railway Accounts, Calcutta, to that of the Accountant General, Public Works Department.

The 11th March 1874.

No. 138.—Major R. G. Thorold, R. E., Executive Engineer, 3rd Grade, Northern Bengal (State) Railway, is temporarily transferred to Bengal (Public Works Department) for employment on Famine Relief Works.

No. 139.—Mr. A. R. Lilley, Assistant Engineer, 3rd Grade, Central Provinces, having passed the prescribed examination, is promoted to Assistant Engineer, 2nd Grade, with effect from the 6th February 1874.

No. 140.—Major S. T. Trevor, R. E., Superintending Engineer, 2nd Grade, Assam Circle in Bengal, is transferred to the Assam Establishment as Superintending Engineer and Secretary to the Chief Commissioner in the Public Works Department of that Province.

The 12th March 1874.

No. 141.—Mr. W. Handy is appointed to the Public Works Department as a temporary Super-

visor, 2nd Grade, and posted to the Indus Valley (State) Railway, with effect from 26th July 1873.

No. 142.—Mr. T. Street, temporary Overseer, 2nd Grade, Indus Valley (State) Railway, is permitted to resign his appointment in the Public Works Department.

No. 143.—Messrs. J. Durand and W. Batt are appointed to the Public Works Department as temporary Sub-Engineers, 1st Grade, and posted to the Holkar (State) Railway, with effect from the 15th December 1873, and 12th January 1874, respectively.

No. 144.—The following Engineers, Upper Subordinates, and Accountants, are transferred from Bengal to Assam:—

Lieutenant Colonel H. T. Forbes, s. c., Executive Engineer, 1st Grade.

Mr. J. Vernon ... } Executive Engineers, 3rd Grade.

Baboo Bholanath Doss ... } Assistant Engineers, 2nd Grade.

Mr. C. H. Ringwood ... } Preonath Banerjee ... } Russick Lall Roy ... }

Baboo Joygopal Ruckit ... } Baboo Ram Lall ... } Mr. T. W. Phelan ... }

... } Supervisor, 1st Grade.

Sergeant J. Ferris ... } Mr. J. A. Browne ... } Mr. J. Bishop ... }

Baboo Jogender Chunder Chat- terjee ... } Baboo Ram Loll ... } Baboo Doorga Doss Doss ... }

Baboo Ramtaruck Ghose ... } Baboo Hem Chunder Banerjee ... } Baboo Bycantnath Khan ... }

Baboo Brindabun Chunder Ghose ... } Baboo Jodoram Dutt ... } Baboo Bidhosikur Banerjee ... }

... } Baboo Boydonath Chunder ... } Baboo Gris Chunder Doss ... }

Mr. A. Wilson, Accountant, 3rd Grade, Officiating Assistant Controller.

Mr. C. F. Stevens ... } Mr. E. A. Coello ... }

Baboo Kantz Chunder Moo- kerjee ... } Baboo Shusi Dhur Borooh ... }

The 13th March 1874.

No. 145.—Mr. F. R. Bagley, Assistant Engineer, 3rd Grade, Central Provinces, passed the prescribed Colloquial Examination in Hindooostani on the 16th February 1874.

No. 146.—Baboo Brij Behari Lall, Probationary Overseer, 3rd Grade, is transferred from Bengal to the North-Western Provinces, Provincial Establishment.

No. 147.—Mr. E. Corcoran is temporarily appointed to the Public Works Department, as an Overseer of the 1st Grade, and posted to the Indus Valley State Railway, with effect from date of joining his appointment.

C. H. DICKENS, Colonel, R. A.,
Secy. to the Govt. of India.



The Gazette of India.

Published by Authority.

CALCUTTA, SATURDAY, MARCH 21, 1874.

Separate paging is given to this Part in order that it may be filed as a separate compilation.

CONTENTS.

PART I.—Government of India Notifications, Appointments, Promotions, Leave of Absence, General Orders, Rules and Regulations.

PART II.—Notifications by High Court, Comptroller General, Administrator General, Paper Currency Dept., Presidency Pay Master, Money Order Department, Mint Master, Secretary and Treasurer, Bank of Bengal, Supdt. of Government Printing, and other Government Officers, Postal, Telegraph, and Commissariat Notices.

PART III.—Advertisements and Notices by private Individuals and Corporations.

PART IV.—Acts of the Governor General's Council assented to by the Governor General:—

The Kulu Appeals Act, 1874.

PART V.—Bills introduced in the Council of the Governor General for making Laws and Regulations, or published under Rule 22.—(Nothing for publication.)

SUPPLEMENT NO. 12.

PART I.

Government of India Notifications, Appointments, Promotions, &c.

HOME DEPARTMENT.

NOTIFICATIONS.—PUBLIC.

Fort William, the 20th March 1874.

No. 81.—The Governor General in Council has been pleased to appoint Lieutenant W. F. H. Grey, Bengal Staff Corps, to officiate as Assistant Commissioner of the 3rd Grade in British Burma.

No. 84.—His Excellency the Viceroy and Governor General in Council is pleased to appoint Mr. Lewis McIver, Assistant Commissioner, 3rd Grade, in the British Burma Commission, to officiate as Assistant Secretary to the Chief Commissioner during the absence of Lieutenant C. B. Cooke appointed Officiating Political Agent, Bhamo, or until further orders.

JUDICIAL.

The 17th March 1874.

No. 408.—It is hereby notified that the Secretary of State for India has, by Resolution in Council, declared the provisions of the 1st Section of an Act passed in the 33rd year of Her Majesty's reign, Chapter 3, entitled "an Act to make better provision for making Laws and Regulations for certain parts of India and for certain other purposes relating thereto," to be from the 1st day of April 1874 applicable to the following parts of the territories under the Government of the Lieutenant Governor of the North-Western Provinces: that is to say, the Pergunnahs of Bázpur, Rudarpur, Gadarpur, Kilpúri, Nának-Mattah and Bil-

héri now attached to the Terai District of the Kumaon Division.

The 18th March 1874.

No. 418.—Mr. F. D. Chauntrell has been permitted by Her Majesty's Secretary of State to resign the appointment of Government Solicitor at Calcutta.

No. 419.—Mr. Charles Sanderson has been appointed by Her Majesty's Secretary of State for India to be Government Solicitor at Calcutta.

PORT BLAIR.

The 16th March 1874.

No. 96.—In supersession of the Notification of this Department, No. 292, dated the 20th November last, Baghel Singh, Inspector of Police in Oudh, is appointed an Extra Assistant Superintendent at Port Blair, on probation, with effect from the 15th January last, the date on which he took charge of the appointment.

The 20th March 1874.

No. 102.—Under the provisions of Section 335 of the Code of Criminal Procedure (Act X. of 1872) the Governor General in Council is pleased to direct that in all proceedings before the Court of Sessions, or before any Magistrate in the settlements of Port Blair and the Nicobars, the evidence of complainants and witnesses shall be recorded in the vernacular language of the officer presiding over the Court.

A. C. LYALL,
Secy. to the Govt. of India.

FOREIGN DEPARTMENT.

NOTIFICATIONS.—POLITICAL.

Fort William, the 18th March 1874.

No. 688P.—Subject to the confirmation of Her Majesty's Government, His Excellency the Vice-roy and Governor General in Council is pleased to recognize the appointment of Mr. William Kennedy, as Acting Consul for Belgium at Moulmein, during the absence of Mr. Brooke.

The 20th March 1874.

No. 709P.—The Viceroy and Governor General is pleased to confer upon Baboo Gunga Pershad, of Bareilly, North-Western Provinces, the title of "Raja" as a personal distinction, in recognition of his tried loyalty to the British Government, and the enlightened interest taken by him in the cause of education.

No. 710P.—In recognition of the services rendered to Government by Baboo Shiva Pershad, c. s. i., Inspector of Schools in the Benares Circle, North-Western Provinces, the Viceroy and Governor General is pleased to confer upon him the title of "Raja" as a personal distinction.

GENERAL.

The 19th March 1874.

No. 631G.—With reference to Notification No. 2397G., of the 10th November last, Mr. J. D. Gordon, c. s. i., delivered over, and Colonel R. J. Meade, c. s. i., resumed, charge of the office of Chief Commissioner of Mysore and Coorg, on the forenoon of the 4th March 1874.

No. 632G.—Surgeon R. Caldecott, of the Bombay Medical Establishment, held medical charge of the 2nd Regiment, Central India Horse, in addition to his own duties, from the 1st December 1873 to the 30th January 1874, both days inclusive, during the absence, on other duty, of Surgeon D. F. Keegan, M. D.

The 20th March 1874.

No. 640G.—In modification of the Notification of this Department, No. 156J., dated 30th September 1870, the Governor General in Council is pleased to order as follows:—

1. On and after the first day of April 1874, the existing divisional Commissionerships of East and West Berar shall be united into one Commissionership, to be termed the Commissionership of the Hyderabad Assigned Districts.
2. All powers and functions at present vested in, and discharged by, the Commissioners of East and West Berar within the limits of their respective divisions in their capacity of Courts of Civil or Criminal jurisdiction shall, on and after the said first day of April 1874, be transferred to a Judicial Commissioner to be appointed by the Governor General in Council with jurisdiction throughout the entire Commissionership of the Hyderabad Assigned Districts, and shall be exercised and discharged by such Judicial Commissioner, subject to the same powers of control, superintendence and revision on appeal, reference or otherwise, as are at present exercised by the Resident at Hyderabad over the Courts of the Commissioners of East and West Berar.
3. All other powers and functions at present vested in, and discharged by, the Commissioners of East and West Berar within the limits of their respective divisions shall, on

and after the said first day of April 1874, be vested in, and discharged by, an Officer to be similarly appointed, and to be called the Commissioner of the Hyderabad Assigned Districts.

No. 641G.—With reference to Notification No. 640G. of today's date, the following appointments in the Hyderabad Assigned Districts are made:—

Lieutenant Colonel W. Nembhard, Commissioner of East Berar, to be Commissioner of the Hyderabad Assigned Districts.

Lieutenant Colonel J. Allardyce, Deputy Commissioner of the 1st Class, and Officiating Commissioner of East Berar, to be Judicial Commissioner.

Major J. G. Bell, Deputy Commissioner of the 2nd Class, to be Deputy Commissioner of the 1st Class.

C. U. AITCHISON,
Secy. to the Govt. of India.

FINANCIAL DEPARTMENT.

NOTIFICATIONS.—ACCOUNTS.

Fort William, the 17th March 1874.

No. 1818.—Mr. J. Westland, Accountant General, Central Provinces, and Deputy Commissioner of Paper Currency, Nagpore Circle, is allowed privilege leave for fifteen days.

The 18th March 1874.

No. 1848.—Mr. T. H. Biggs is appointed an Auditor of the Accounts of the Administrator General of Bengal.

The 19th March 1874.

No. 1855.—Mr. E. W. Kellner, Assistant to the Comptroller General, is allowed privilege leave for fourteen days, from the 17th instant.

LEAVE AND ALLOWANCES.

The 19th March 1874.

No. 1869.—The Governor General in Council is pleased to rule that when travelling allowance is drawn by any public officer on leaving his station, the point from which distance is reckoned shall be the Chief Public Office at the station or any other point in the station which may be fixed for the purpose by the local Government.

MINT AND CURRENCY.

The 20th March 1874.

No. 1873.—The following letter addressed to the Mint Master, Calcutta, is published for general information:—

In acknowledging the receipt of your letter No. 980, dated 21st January 1874, reporting on the state of the copper coinage in Calcutta, I am directed to state that the Governor General in Council considers it desirable to offer the Podars a sufficient inducement to pick out all worn pice and present them for exchange for fresh pice or rupees at the Currency Office and at the Mint. With this object, His Excellency in Council has resolved to give an allowance of half an anna in the rupee whenever worn pice are brought to those Officers in parcels of not less than Rs. 50 worth, provided always that they are recognisable as Government pice.

The allowance now authorised should be charged to Grant XII, "Mint".

No. 1879.—The following Statement of the Silver received and coined in the Mints of Calcutta and Bombay, in February 1874, is published for general information:—

	CALCUTTA.			BOMBAY.		
	Bullion or Coin received during the month, valued in Rupees.		Coined and exhausted during the month, valued in Rupees.	Bullion or Coin received during the month, valued in Rupees.		Coined and exhausted during the month, valued in Rupees.
	Govt.	Merchants.	Rs.	Govt.	Merchants.	Rs.
In February 1874 ...	27	36,72,474	24,41,162	3,360	22,60,508	13,18,692

PENSIONS AND GRATUITIES.

The 19th March 1874.

No. 1871.—The Governor General in Council directs that the following be inserted as Rule 1, under Section 35 of the Civil Pension Code, and that the present rule 1 be numbered 1 (a):—

1. The contribution prescribed in this section shall not be levied from any officer who is lent to a Native State, Municipality, &c., for temporary employment for a period not exceeding six months.

SEPARATE REVENUE.—POST OFFICE.

The 20th March 1874.

No. 1827.—Mr. C. W. Hutchinson, Post Master General of the North-Western Provinces, is allowed the usual subsidiary leave, in addition to the furlough granted to him on the 16th January 1874.

R. B. CHAPMAN,
Secy. to the Govt. of India.

MILITARY DEPARTMENT.

Fort William, the 16th March 1874.

No. 259 of 1874.—His Excellency the Governor General in Council is pleased to make the following appointment:—

Army Commissariat Department.

Lieutenant A. T. S. A. Kind, of the Bengal Staff Corps, 1st Wing Subaltern and Officiating Quartermaster, 28th (Punjab) Regiment of Native Infantry, to be a Sub-Assistant Commissary General of the 3rd Class on probation, with effect from the 24th February 1874, to fill an existing vacancy.

No. 260 of 1874.—That portion of G. G. O. No. 1153 of the 10th November 1873, which announces the return from England of Captain W. L. N. Knyvett, of the Madras Staff Corps, District Superintendent of Police, Bengal, is cancelled.

No. 261 of 1874.—The under-mentioned Officer has been allowed furlough to Europe (medical certificate):—

Lieutenant-Colonel (Brevet Colonel) Alfred Chicheley Plowden, of the Bengal Staff Corps,—for eighteen months, under Rule XIV of the Regulations of 1868. Of this period four months and twenty-four days reckoning as on private affairs under G. G. O. No. 627 of 1870.

No. 262 of 1874.—His Excellency the Governor General in Council is pleased to make the following appointment in the Medical Department:—

Surgeon Major E. McKellar, M. D., of the Medical Department, in medical charge, 1st Bengal Cavalry, to officiate as Secretary to the Surgeon General, Indian Medical Service,

whilst Surgeon K. McLeod, M. D., may be employed under the Government of Bengal, or until further orders.

No. 263 of 1874.—The under-mentioned Warrant Officer has been allowed furlough to Europe on medical certificate:—

Conductor John Halliday, of the Ordnance Commissariat Department, for twenty months, under the provisions of G. G. O. No. 207 of 1869.

No. 264 of 1874.—The under-mentioned men of the Hyderabad Contingent, declared unfit for further service, are transferred to the Pension Establishment from the 1st January 1874, and granted the stipends specified opposite to their respective names:—

Regt. or Troop No.	Rank and Names.		Monthly stipend.	Where permitted to reside and draw stipend.
2	Trooper	1ST CAVALRY. Daveedeen	Rs. A. P. 3 8 0	Cawnpore.
4	Do.	Meer Khymut Alli	3 8 0	Hyderabad, Bolarum circle.
4	Do.	Mohun Sing	3 8 0	Mominabad.
10	Trooper	2ND CAVALRY. Peer Buksh	3 8 0	With 2nd Cavalry, H. C.
28	Do.	Shaiq Hy mud	3 8 0	Do.
22	Do.	Syud Ally	3 8 0	Do.
1	Jemadar	Annund Sing	12 0 0	Hyderabad, Bolarum circle.
7	Duffadar	Furred Buksh	6 0 0	Bolarum.
5	Do.	Hy mud Ally Beg	6 0 0	With 2nd Cavalry, H. C.
13	Trooper	Wullee Mahomed	3 8 0	Do.
5	Do.	Bunny Khan	3 8 0	Jaulna.
22	Do.	Noor Khan	3 8 0	With 2nd Cavalry, H. C.
61	Do.	Rumzan Buksh	3 8 0	Do.
6	Do.	Rhymon Beg	3 8 0	Do.
7	Duffadar	Shere Khan	6 0 0	Do.
58	Trooper	Syud Soolaman	3 8 0	Do.
5	Do.	Sahib Hussain	3 8 0	Do.
3	Duffadar	Syud Jaffer	6 0 0	Do.
23	Trooper	Ghoolam Mahomed Khan	5 0 0*	Do.
65	Do.	Buxoolla Khan	3 8 0	Do.
53	Do.	Ghoolam Russool	3 8 0	Do.
1	Do.	Fyze Mahomed Khan	3 8 0	Mominabad.
13	Do.	Muckbool Ally	3 8 0	With 2nd Cavalry, H. C.
9	Do.	Sarafras Khan	3 8 0	Do.
67	Do.	Mahomed Fazul	3 8 0	Mominabad.
20	Do.	Syud Kassim	3 8 0	Jaulna.
2	Jemadar	Allaydad Khan	20 0 0*	With 2nd Cavalry, H. C.
12	Trooper	Syud Babun	5 0 0*	Do.
16	Do.	Rameen Khan	3 8 0	Do.
63	Do.	Ram Sing	3 8 0	Mominabad.
88	Trooper	4TH CAVALRY. Shaik Cheethoo	3 8 0	Mohidpoor, Allahabad circle.
371	Subadar	Shaik Babun	20 10 7	Bolarum.
110	Havildar	Shaik Furred	6 0 0	Jaulna.
678	Do.	Shaik Hussain	6 0 0	Bolarum.
434	Do.	Kalkapersaud	6 0 0	Cawnpoor.
760	Naigue	Shaik Fazul	4 15 4	Hyderabad, Bolarum circle.
765	Do.	Lingoo	4 15 4	Bolarum.
726	Drummer	Joowan	4 2 2	Jaulna.
286	Private	Shaik Mahomed	3 4 11	With 1st Infantry, H. C.
431	Do.	Deengoor	3 4 11	Bolarum.
453	Do.	Shaik Ally	3 4 11	Hingolee.
466	Do.	Ramburn Sing	3 4 11	Azimgurh.
662	Do.	Munneeram	3 4 11	Cawnpoor.
670	Do.	Esurnath	3 4 11	Fyzabad.
688	Do.	Bhowany	3 4 11	Lucknow.
703	Do.	Shaik Chadah	3 4 11	Shajehanpore.
721	Do.	Bholah	3 4 11	Lucknow.
748	Do.	Bahadoor Oopadeeah	3 4 11	Azimgurh.
1192	Do.	Bheekajee	3 4 11	Akolah.
...	Lascar	Mysah	2 14 4	With 1st Infantry, H. C.
...	Do.	Bheeroo	2 14 4	Do.
587	Havildar	2ND INFANTRY. Wazeer Ahmed	6 0 0	Bolarum.
536	Private	Shaik Ahmed	3 4 11	Do.
589	Do.	Peer Buksh	3 4 11	Do.
623	Do.	Sumbo	3 4 11	Do.
626	Do.	Luchmooroo	3 4 11	Do.
691	Do.	Shaik Brahim	3 4 11	Do.
713	Do.	Shaik Wazeer	3 4 11	Do.
717	Do.	Juthun Sing	3 4 11	Do.
763	Do.	Mahomed Ally	3 4 11	Do.
765	Do.	Ram Sing	3 4 11	Do.
802	Do.	Doorgah	3 4 11	Do.
829	Do.	Nursoo	3 4 11	Do.
881	Do.	Ramiah	3 4 11	Do.
901	Do.	Rameah	3 4 11	Do.
1060	Do.	Shaik Nubbee	3 4 11	Do.
465	Do.	Shaik Meerah	3 4 11	Do.
886	Do.	Bessasur	3 4 11	Do.
1063	Do.	Kalkah	3 4 11	Do.

* Superior pension after 40 years' service with unblemished character.

*No. 265 of 1874.—ERRATUM.—*In G. G. O. No. 129 of 1874, notifying the grant of furlough to Captain C. C. Scott Moncrieff, for "Assistant Engineer, 1st Grade," read *Executive Engineer, 1st Grade.*

Order books to be corrected accordingly.

*No. 266 of 1874.—*With reference to G. G. O. No. 694 of 14th July 1865, and No. 1156 of 7th December 1868, His Excellency the Governor General in Council is pleased to authorize the grant of half and quarter rations respectively to the wives and children of soldiers sent on medical grounds from a convalescent dépôt to a cantonment for a change.

This order is applicable to the three Presidencies.

*No. 267 of 1874.—*Supernumerary Surgeon Major Henry Potter, M. D., of the Medical Department, is brought on the Establishment of Surgeons Major to fill an existing vacancy.

*No. 268 of 1874.—*Lieutenant-Colonel J. B. Cox, of the Bengal Staff Corps, Sub-Assistant Commissary General, 1st Class, Officiating Deputy Assistant Commissary General, 2nd Class, is allowed leave of absence for three months, with effect from the 26th January 1874, to remain at Roorkee on medical certificate, under the Regulations of 1868, in extension of privilege leave.

The 17th March 1874.

*No. 269 of 1874.—*His Excellency the Governor General in Council is pleased to make the following appointment:—

PUNJAB FRONTIER FORCE.

No. 2 Horse Light Field Battery.

Lieutenant W. M. Campbell, of the Royal Artillery, to be Subaltern, *vice* Lieutenant R. H. W. Plunkett, whose services are placed at the disposal of His Excellency the Commander-in-Chief for appointment to the Royal Horse Artillery, with effect from the date on which he may be relieved of his duties, in No. 2 Punjab Battery.

The 18th March 1874.

*No. 270 of 1874.—*The undermentioned Officer is permitted to proceed to Europe on furlough on private affairs:—

Lieutenant Walter Hailes, of the Bengal Staff Corps, 1st Wing Subaltern, 37th (The Meerut) Regiment of Native Infantry,—for 18 months, under Rules IX and XV of the Regulations of 1868.

*No. 271 of 1874.—*The services of Lieutenant T. M. Jenkins, of the Madras Staff Corps, Quartermaster, 36th Regiment, Madras Native Infantry, are placed temporarily at the disposal of the Home Department.

*No. 272 of 1874.—*The under-mentioned officer is admitted to the Bengal Staff Corps with effect from the date specified, subject to the confirmation of the Right Hon'ble the Secretary of State for India:—

Lieutenant George Williams Deane, of the 106th Foot, 2nd Squadron Subaltern, 13th Bengal Lancers,—15th February 1873.

*No. 273 of 1874.—*The under-mentioned officers have reported their departure for Europe on the dates specified:—

Lieutenant Colonel J. R. Currie, of the Bengal Staff Corps, G. G. O. No. 115 of 1874,—*Lombardy*, 9th March 1874, from Bombay.

Lieutenant Colonel (Brevet Colonel) J. P. W. Campbell, of the Bengal Staff Corps, G. G. O. No. 1264 of 1873,—*Malwa*, 15th March 1874, from Bombay.

*No. 274 of 1874.—*The under-mentioned out-pensioners of the Royal Hospital at Chelsea having been permitted to reside and draw their stipends in India, payment of pension is to be made and charged accordingly:—

Quartermaster Serjeant Charles Edwards, late of the 21st Regiment of Hussars,—rate of pension per diem, 2s. 3d. (two shillings and three pence) from the date he ceases to receive regimental pay or allowance.

Sergeant William Browne, late of the 21st Regiment of Hussars,—rate of pension per diem, 2s. (two shillings) from the date he ceases to receive regimental pay or allowance.

*No. 275 of 1874.—*Prawn or Puran, late a Muleteer, attached to the 6th Battery, 13th Brigade, Royal Artillery, declared unfit for further service, is transferred to the Invalid Pension Establishment, with effect from the date on which he may have been struck off the strength of the Battery.

The stipend will be disbursed in the Presidency Circle of payment.

*No. 276 of 1874.—*The under-mentioned Hospital Assistant of the 2nd Class, passed his English qualification examination according to the test laid down in G. G. O. No. 945 of the 7th October 1868, on the 21st February 1874:—

Shaik Abdoolah,—date of rank, 20th April 1865.

The 20th March 1874.

*No. 277 of 1874.—*His Excellency the Governor General in Council is pleased to make the following appointment:—

Surgeon Major H. Cayley, of the Medical Department, Civil, Cuttack, to officiate as Superintendent of the Eye Infirmary during the absence on furlough to Europe of Surgeon Major N. C. Macnamara, or until further orders.

*No. 278 of 1874.—*The following extract from the *London Gazette* of the 17th February 1874, pages 693, 694 and 695, is published for general information:—

Pages 693 and 694.

INDIA OFFICE, 16th February 1874.
Her Majesty has been pleased to approve of the following promotions amongst the Officers of the Staff Corps and of Her Majesty's Indian Military Forces, made by the Governments in India:—

BREVET.

To be Colonels.

Lieutenant Colonel Sidney Chalmers, Bengal Infantry, dated 19th October 1873.

Lieutenant Colonel John March Earle, Bengal Infantry, dated 9th December 1873.

Lieutenant Colonel Edward Samuel Jackson, Bengal Infantry, dated 16th December 1873.

To be Captains.

* * * * *
Lieutenant William Henry Browne, Bengal Staff Corps, dated 20th October 1873.

Lieutenant George William Beresford, Bengal Staff Corps, dated 26th October 1873.

* * * * *

Lieutenant Richard Bernard Lockwood, Bengal Cavalry, dated 4th December 1873.

Lieutenant Robert Henry Francis Rennick, Bengal Staff Corps, dated 18th December 1873.

Captain Cecil Beadon, Madras Cavalry, to be Major in succession to General P. Lodwick, Bombay Infantry, deceased, dated 29th August 1873.

SUBSTANTIVE PROMOTIONS.

BENGAL STAFF CORPS.

To be Lieutenant-Colonels.

Major Edgar Gibson Clark, dated 20th November 1873.

Major Charles Frederick Packe, dated 10th December 1873.

Major Clements Robert Shaw, dated 10th December 1873.

Major Joseph Ford Sherer, dated 10th December 1873.

Major (Brevet Colonel) Peter Stark Lumsden, C. B., C. S. I., dated 10th December 1873.

Major Arthur Hill Millet, dated 11th December 1873.

Major Henry Brougham Chalmers, dated 11th December 1873.

Major George Wheeler, dated 11th December 1873.

Major Richard Edward Oakes, dated 11th December 1873.

Major (Brevet Colonel) Sir Charles Henry Brownlow, K. C. B., dated 20th December 1873.

Major John Grant Sombre Matheson, dated 20th December 1873.

To be Majors.

Captain Donald MacDonald, dated 20th October 1873.

Captain John Bartleman, dated 20th October 1873.

Captain Horatio Nelson Noble, dated 9th December 1873.

Captain (Brevet Major) William MacDonald, dated 10th December 1873.

Captain William Rice Morland Holroyd, dated 10th December 1873.

Captain Francis Frederick Rowcroft, dated 10th December 1873.

Captain Harry de Brett, dated 10th December 1873.

Captain Charles Smith Maclean, dated 14th December 1873.

Captain Harry Chippindale Plunkett Rice, dated 20th December 1873.

Captain Robert Durie Osborn, dated 20th December 1873.

Captain Henry Loftus Alexander Tottenham, dated 20th December 1873.

Captain George Nicholson Saunders, dated 20th December 1873.

To be Captains.

Lieutenant Charles Edward Hunter, dated 8th June 1873.

Lieutenant Alexander Robert Badcock, dated 1st October 1873.

Lieutenant (Brevet Captain) William John Williamson, dated 8th October 1873.

Lieutenant Charles Edward Harenc, dated 15th October 1873.

Lieutenant Thomas John Baynes, dated 15th November 1873.

The dates of the under-mentioned Officers' Commissions should be as follows, and not as stated in the Gazettes named:—

* * * * *

London Gazette, 22nd September 1871.—Lieutenant Colonel J. H. Jenkins, Bengal, 11th May 1871.

Page 695.

London Gazette, 15th November 1872.—Lieutenant G. Brehon, Bengal Staff Corps, 5th June 1866.

London Gazette, 7th February 1873.—Lieutenant W. H. Salmon, Bengal Staff Corps, 31st March 1871.

London Gazette, 28th March 1873.—Captain R. W. E. Burrowes, Bengal, 20th November 1872.

The names of the under-mentioned officers should be as follows, and not as stated in the Gazettes named:—

London Gazette, 1st December 1871.—Surgeon Robert Gray, Bengal.

London Gazette, 1st December 1871.—Surgeon Joseph MacNaughtan Fleming, M. D., Bengal.

London Gazette, 15th November 1872.—Ernle Edmund Money, Bengal Staff Corps.

London Gazette, 17th January 1873.—Edmund Yeamans Walcott, Bengal Staff Corps.

London Gazette, 7th February 1873.—William Henry Salmon, Bengal Staff Corps.

London Gazette, 28th March 1873.—R. W. E. Burrowes, Bengal Staff Corps.

London Gazette, 10th June 1873.—Lieutenant

Colonels Ker and Francis, promoted to the rank of Colonel, belong to the Bombay Infantry, and not Bengal.

No. 279 of 1874.—The under-mentioned officers are permitted to proceed to Europe on furlough on private affairs:—

Lieutenant Colonel (Brevet Colonel) Charles Frederick Hicks, of the Bengal Staff Corps,—for 2 years, under Rule IX of the Regulations of 1868.

Captain (Brevet Major) Henry Thompson, of the Bengal Staff Corps, Deputy Assistant Adjutant General,—for 8 months, under Rule IX of the Regulations of 1868.

Surgeon Major William Caldwell Smith, M. D., of the Medical Department, in medical charge, 27th (Punjab) Regiment of Native Infantry,—for 14 months, under Rule IX of the Regulations of 1868, embarking on or after the 12th April 1874.

Lieutenant James Mandeville Wood Von Beverhoudt, of the Bengal Staff Corps, 2nd Wing Subaltern, 17th (The Loyal Poorbeah) Regiment of Native Infantry,—for 2 years, under Rule IX of the Regulations of 1868.

No. 280 of 1874.—The following promotion is made in the under-mentioned Corps of the Native Army:—

39th (The Allygurh) Regiment of Native Infantry.

Color Havildar Bhoop Sing, to be Jemadar, from the 11th December 1873, vice Punjab Sing, invalidated.

No. 281 of 1874.—The furlough to Europe on private affairs for two years under the Regulations of 1868, granted to Lieutenant Colonel T. Pierce,

of the Bengal Staff Corps, in G. G. O. No. 1304, dated the 30th December 1873, is cancelled at his request.

No. 282 of 1874.—The following promotion is made, subject to Her Majesty's approval:—

Infantry.

Supernumerary Lieutenant Colonel (Lieutenant General) Sir Neville Bowles Chamberlain, G. C. S. I., K. C. B., to be Colonel with Colonel's allowances, with effect from the 17th March 1874, agreeably to paragraph 13 of Secretary of State's despatch, published in G. G. O. No. 869 of 1862.

No. 283 of 1874.—The under-mentioned officer of the Bengal Staff Corps, having completed 26 years' service, is promoted to the rank of Lieutenant Colonel, from the date specified, under the provisions of G. G. O. No. 808, of the 26th September 1866, subject to Her Majesty's approval:—

Major Albert Henry Bamfield,—20th March 1874.

No. 284 of 1874.—The under-mentioned officer of the Bengal Staff Corps, having completed 20 years' service, is promoted to the rank of Major, from the date specified, under the provisions of G. G. O. No. 808 of the 26th September 1866, subject to Her Majesty's approval:—

Captain Thomas Nicholls Walker,—14th March 1874.

No. 285 of 1874.—The under-mentioned officer, having completed twelve years' service, including four years in the Staff Corps, is promoted to the rank of Captain from the date specified under the Royal Warrant of the 16th January 1861, subject to Her Majesty's approval:—

Bengal Staff Corps.

Lieutenant John Albert Little, 18th March 1874.

No. 286 of 1874.—The under-mentioned Officers and Warrant Officer have reported their return from England:—

Lieutenant Colonel J. Keer, of the Bengal Staff Corps, Assistant Commissary General, 2nd Class,—date of arrival at Bombay, 12th March 1874.

Surgeon Major E. Taylor, of the Medical Department, in medical charge, 23rd (Punjab) Regiment of Native Infantry (Pioneers),—date of arrival at Bombay, 12th March 1874.

Major A. H. Eckford, of the Bengal Staff Corps, Cantonment Magistrate and Judge, Court of Small Causes, Barrackpore,—date of arrival at Bombay, 12th March 1874.

Major G. R. Hennessy, of the Bengal Staff Corps, Wing Officer, 15th (The Loodianah) Regiment of Native Infantry,—date of arrival at Bombay, 12th March 1874.

Major H. DeBrett, of the Bengal Staff Corps, Wing Officer, 18th (The Alipore) Regiment of Native Infantry,—date of arrival at Bombay, 18th February 1874.

Surgeon A. H. Williams, of the Medical Department,—date of arrival at Bombay, 12th March 1874.

Captain C. J. Walter, of the Bengal Staff Corps, Adjutant, 8th Regiment of Native Infantry,—date of arrival at Bombay, 9th March 1874.

Captain H. S. Ruxton, of the late 56th Regiment of Native Infantry,—date of arrival at Bombay, 9th March 1874.

Captain A. G. Hammond, of the Bengal Staff Corps, Wing Officer, Corps of Guides, Punjab Frontier Force,—date of arrival at Bombay, 30th January 1874 (date of departure on furlough, 15th March 1872.)

Sub-Conductor A. McDonald, of the Ordnance Commissariat Department,—date of arrival at Bombay, 2nd March 1874.

No. 287 of 1874.—Dhunnea or Dhuntee, widow of Jemadar Ellie Bux, of the 4th Company, 1st Battalion Artillery, is admitted to pension, equal to that conferred by the 3rd Class order of merit on her late husband, for three years, from the 14th May 1872.

The stipend will be disbursed in the Presidency Circle of payment.

No. 288 of 1874.—The under-mentioned Officer is promoted to the rank of Colonel by Brevet from the date specified, under the operation of Clauses 8, 9 and 10 of the Royal Warrant of the 31st January 1859, subject to Her Majesty's approval:—

Lieutenant Colonel Henry Beville, c. b., Bombay Staff Corps,—15th February 1874.

No. 289 of 1874.—The under-mentioned Hospital Assistants who have passed their professional examination are advanced to the next higher grade, with effect from the dates specified against their respective names:—

NAMES.	DATE OF COMPLETION OF THE SEPTENNIAL PERIOD OF SERVICE.	DATE OF PASSING THE PROFESSIONAL EXAMINATION.	DATE OF PROMOTION.
<i>To be 1st Class Hospital Assistants.</i>			
Shekh Bux Oollah	Jan. 24, 1870	Oct. 15, 1873	Oct. 15, 1873
Ramdehal Roy (a)	April 6, 1871	Do. ...	Do.
Muzhur Allee	Do. ...	Do. ...	Do.
Shak Ramzan Allee	Mar. 29, 1872	Do. ...	Do.
Raheme Khan	Mar. 31, 1872	Do. ...	Do.
Shaikh Bahadoor Ali (a)	June 24, 1872	Do. ...	Do.
Beesaser Doss (c)	Oct. 29, 1872	Do. ...	Do.
Chetram	Feb. 23, 1873	Do. ...	Do.
Habeeboolla Khan	May 22, 1873	Do. ...	May 23, 1873
Tauje Khan (a)	June 21, 1873	Do. ...	June 22, 1873
Zahoor Hussein (a)	July 26, 1873	Do. ...	July 27, 1873
Kurreem Khan	Aug. 7, 1873	Do. ...	Aug. 8, 1873
Gheessoo (a)	Sept. 12, 1873	Do. ...	Sept. 13, 1873
Ellahee Bux	Oct. 10, 1873	Do. ...	Oct. 11, 1873
<i>To be 2nd Class Hospital Assistants.</i>			
Rachia Ram	April 12, 1871	Oct. 15, 1873	Oct. 15, 1873
Eusuff Khan (b)	Sept. 30, 1872	Do. ...	Do.
Aleem Oodeen (I)	April 13, 1873	Do. ...	April 14, 1873
Abdoel Jubbur	Do. ...	Do. ...	Oct. 15, 1875
Kurmoor Hug (a)	April 14, 1873	Do. ...	April 15, 1873
Moolchund (b)	Do. ...	Do. ...	Do.
Ram Chund	April 20, 1873	Do. ...	April 21, 1873
Tubarool Hossain (a)	May 28, 1873	Do. ...	May 29, 1873
Shaik Furzund Ally (a)	Sept. 19, 1873	Do. ...	Sept. 20, 1873
Kammoo Khan	Do. ...	Do. ...	Do.
Ameer Allii (c)	Sept. 30, 1873	Do. ...	Oct. 1, 1873
Futteh Mohmed (d)	Do. ...	Do. ...	Do.
Wuzeh-ood-deen	Do. ...	Do. ...	Do.
Azeem-ood-deen	Do. ...	Do. ...	Do.
Imdad Hoosein	Do. ...	Do. ...	Do.
Ausgur Allii	Do. ...	Do. ...	Do.
Hafeez-ool-lah	Do. ...	Do. ...	Do.

(a). Passed an examination in English, *vide* G. G. O. No. 968 of 1870.
(b). Do. do. do. on the 15th October 1873.

(c). Do. do. *vide* G. G. O. No. 729 of 1871.

(d). Do. do. do. do. No. 1069 of 1873.

No. 290 of 1874.—The under-mentioned Officer is permitted to proceed to Europe on furlough on private affairs:—

Captain Duncan George Pitcher, of the Bengal Staff Corps, Assistant Commissioner, 3rd Grade, Oude, Judge of the Small Cause Court, Lucknow,—for thirteen months, under Rule IX of the Regulations of 1868.

H. K. BURNE, Colonel,
Secretary to the Govt. of India.

MILITARY DEPARTMENT.

NOTIFICATION.

Fort William, the 20th March 1874.

Under Clause 26 of the Regulations appended to the Regimental Debts Act of 1863, it is notified that report of the death of the under-mentioned Commissioned Officer on the date specified was received in the Military Department on the 17th March 1874:—

Corps.	Rank and Name.	Date of Decease.	Place of Decease.	Testate or Intestate.
Royal Engineers ...	Lieut. A. G. Goodwyn.	Mar. 14, 1874	Roorkee.	

H. K. BURNE, *Colonel,*
Secy. to the Govt. of India.

MILITARY DEPARTMENT.

ESTATE NOTIFICATION.

Fort William, the 20th March 1874.

P. C. DeRozario, Hospital Apprentice, died 28th November 1873, at Meean Meer, Intestate, Rupees 111-13-9 deposited on the 18th March 1874. All claims against the above Estate must be submitted before the 20th May 1874.

H. K. BURNE, *Colonel,*
Secy. to the Govt. of India.

PUBLIC WORKS DEPARTMENT.

NOTIFICATIONS.—ESTABLISHMENT.

Fort William, the 16th March 1874.

No. 148.—Baboo Ghamandi Lall, probationary Overseer, 3rd Grade, Oudh, is confirmed in that Grade.

The 17th March 1874.

No. 151.—With reference to Public Works Department Notification No. 106 of the 20th February 1874, Mr. W. Goodenough Bayly, B. A., assumed charge of the duties of Deputy Controller of Accounts, Military Works Branch, on the 11th idem.

No. 152.—The Governor General in Council is pleased to make the following promotions and appointments in the Irrigation Branch of the Public Works Department:—

Colonel J. Crafton, R. E., Chief Engineer, 1st Class, and Joint Secretary to the Government of the Punjab, to be Inspector General of Irrigation and Deputy Secretary to the Government of India, *vice* Colonel F. H. Rundall, R. E., who retires.

Colonel W. H. Greathed, C. B., R. E., Chief Engineer, 2nd Class, and Joint Secretary to the Government, North-Western Provinces, to be Chief Engineer, 1st Class, *vice* Colonel Crafton.

Lieutenant Colonel W. H. Gulliver, R. E., Superintending Engineer, 1st Grade, Officiating Chief Engineer and Joint Secretary to the Government of Bengal, to be Chief Engineer, 2nd Class, *vice* Colonel Greathed, and appointed to be Chief Engineer and Joint Secretary to the Government of the Punjab, but will remain in Bengal until the return of Colonel Haig from furlough, or until further orders.

Colonel P. P. L. O'Connell, R. E., Superintending Engineer, 1st Grade, is appointed to officiate as Chief Engineer and Joint Secretary to the Government of the Punjab while Colonel Gulliver remains in Bengal, or until further orders.

The 18th March 1874.

No. 153.—Mr. C. J. Campbell, Superintending Engineer, 1st Grade, having arrived at Bombay from furlough on the 6th March, is granted subsidiary leave from the 7th to the 9th idem, inclusive.

Mr. Campbell reported his arrival at Calcutta on the 10th March, and from that date is appointed to the charge of the Tirhoot Railway Survey.

The 19th March 1874.

No. 154.—With reference to Military Department Notification No. 173 of the 25th February 1874, regarding the grant by Her Majesty's Secretary of State for India to Major G. S. Hills, R. E., Executive Engineer, 2nd Grade, Bengal, of an extension of six months' leave on sick certificate, that Officer's services are replaced at the disposal of the Military Department.

The 20th March 1874.

No. 155.—The under-mentioned individuals are appointed as Accountants, 4th Grade, on probation, and posted to the Punjab Northern State Railway:—

Hur Pershad and Nanuck Chund.

No. 156.—Captain H. F. Blair, R. E., Executive Engineer, 2nd Grade, Military Works Branch, was allowed subsidiary leave preparatory to proceeding on furlough, from the 15th to the 30th November 1873.

No. 157.—Mr. W. F. F. Handcock, Executive Engineer, 2nd Grade, North-Western Provinces, Provincial Establishment, is temporarily transferred to Bengal Provincial Establishment.

No. 158.—Sub-Conductor M. Shanahan, Temporary Accountant, 4th Grade, Rajpootana, is confirmed in his appointment.

No. 160.—*Erratum.*—In Public Works Department Notification No. 144 of the 12th March 1874, transferring certain Public Works Establishments from Bengal to Assam, omit—

Mr. T. W. Phelan, Supervisor, 1st Grade.

Mr. J. A. Browne, Supervisor, 2nd Grade.

No. 161.—Mr. W. J. Fahie, Executive Engineer, 3rd Grade, is transferred from the Western Rajpootana Railway Survey to Bengal Irrigation Branch.